



Posted: Friday, September 09, 2021

NOTICE AND CALL OF A REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on
TUESDAY, SEPTEMBER 14, 2021, at 6:00 PM

**THIS MEETING WILL BE HELD VIA ZOOM VIDEOCONFERENCE
NO CLOSED SESSION**

In accordance with Executive Order N-29-20 this meeting will be held via videoconference, and will be hosted on the **Zoom**.
Learn more about Zoom here: <https://zoom.us>

PUBLIC COMMENT: Public comment may be submitted via email in advance of the meeting, or in an orderly process during the meeting. If you do not have access to email and you would like to provide a written statement, please deliver your comment to 409 Trinity Street, Trinidad CA, by 2:00pm on the meeting day.

Email public comments to cityclerk@trinidad.ca.gov Your comments will be included in the public record for the meeting, and will be accepted at any time during the meeting.

HOW TO PARTICIPATE: The City will publish a direct link to the conference, along with the participant code, on the City Calendar page online at <http://trinidad.ca.gov/calendar>

To phone in, dial 1-888-278-0296, Conference Code: **685171** Meeting ID: **812 7294 7426** Passcode: **843511**

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. CLOSED SESSION AGENDA PUBLIC COMMENT

At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Council: 1) Individual comments will be limited to 3 minutes or less, 2) Comments should be directed to the Council as a whole and not directed to individual Council Members

IV. ADJOURN TO CLOSED SESSION – No closed session

V. RECONVENE TO OPEN SESSION – No closed session

VI. APPROVAL OF AGENDA

VII. APPROVAL OF MINUTES – 08-10-2021 cc. (08-24-2021 cc2 will be reviewed in October)

VIII. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS

IX. STAFF REPORTS – City Manager & Law Enforcement

X. ITEMS FROM THE FLOOR

At this time, members of the public may comment on items NOT appearing on the agenda. Individual comments will be limited to 3 minutes or less. Comments should be directed to the Council as a whole and not to individual Council Members or staff. Council and staff responses will be minimal for non-agenda items.

XI. CONSENT AGENDA

All matters on the Consent Agenda are considered routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is requested by any Council member, that item is removed from the Consent Calendar and considered separately. A single opportunity for public comment on the Consent Agenda is available to the public.

1. Staff Activity Report – August 2021

2. Financial Statements – July 2021

3. Law Enforcement Report – August 2021

XII. DISCUSSION/ACTION AGENDA ITEMS

1. Presentation on Offshore Wind Energy Area – Bureau of Ocean Energy Management (BOEM) U.S. Dept. of the Interior.
2. Discussion/Decision regarding Resolution 2012-10, Endorsing Single Payer Healthcare Legislation request for AB1400 and HR 1976.
3. Prop 84 ASBS Stormwater Project Update
4. Discussion/Decision regarding Small Community Drought Relief Program Grant Application
5. Discussion/Decision regarding Water Shortage Response Team Appointments – Councilmember and Planning Commissioner.
6. Discussion/Decision to Select Dates, Times, and Council Representatives to a Government to Government (G2G) Consultation with the Trinidad Rancheria.
7. Presentation from Water Advisory Committee regarding Mill Creek Water Rights, and Motion to Accumulate Flow Data for Mill Creek.
8. Presentation from Water Advisory Committee regarding Trucking in Water Option during an Emergency.
9. Discussion/Decision to Survey Water System Customers regarding Water Source Options.
10. Discussion/Decision regarding Support of CalCities Positions on State Legislation; A) Support of AB361 Open Meetings During Declared State of Emergency, B) Request Veto of SB 9 – Increased Density in Single Family Zones, and C) Support CalCities Resolution at the League Conference to request the State Legislature to Pass Legislation for a Fair and Equitable Distribution of the Bradley-Burns 1% Local Sales Tax from in-State Online Purchases.

XIII. FUTURE AGENDA ITEMS

XIV. ADJOURNMENT

APPROVAL OF MINUTES FOR:

AUGUST 10, 2021 CC

~~AUGUST 24, 2021 CC~~

Supporting Documentation follows with:

7 PAGES

***AUGUST 24, 2021 CC2
minutes will be reviewed at the October regular meeting.***

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
TUESDAY, AUGUST 10, 2021 (ZOOM)

I. CALL TO ORDER

Mayor Ladwig called the Zoom virtual meeting to order at 6:00pm. Council members in attendance: Ladwig, West, Clompus, Grover, Davies and West. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams. Approximately (47) attendees were present online at the beginning of the meeting.

II. PLEDGE OF ALLEGIANCE

III. ADJOURN TO CLOSED SESSION

- Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9: City of Trinidad v. Trinidad Bay Bed & Breakfast/Mike Morgan (Humboldt Co. Superior Court Case No. CV2100112)
- Conference with Legal Counsel – Existing Litigation (Gov. Code Section 54956.9): City of Trinidad vs. Mike Morgan (Humboldt Co. Superior Court Case No. CV2100066)
- Conference with Legal Counsel – Existing Litigation (Calif. Gov. Code Section 54956.9(d)(1)) (1 Case: City of Trinidad vs. Tsurai Ancestral Society, et. al, Humb. Co. Sup. Court Case No. 180684)

IV. RECONVENE TO OPEN SESSION – No action was taken on closed session items.

V. APPROVAL OF THE AGENDA

City Attorney Russ Gans explained the procedure outlined in the Trinidad Municipal Code for the Council to reconsider previously discussed agenda item topics, decisions, etc.

Motion (Grover/Clompus) to approve the agenda as submitted. Passed unanimously.

VI. APPROVAL OF MINUTES – 06-21-2021 scc, 07-13-2021 cc

Motion (Grover/Clompus) to approve the minutes as written. Passed unanimously.

VII. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS

Davies: Deferred to Trails Committee agenda items.

Clompus: Provided a written report included in the packet that highlight his committee discussions, actions, and progress. Update on the CCNM Gateway Committee, Ad Hoc Water Committee, Luffenholtz Creek flow and CA extreme drought status. Also announced the Trinidad Bay Art and Music Festival will take place in the Town Hall in August.

Grover: Attended RCEA meeting, update on offshore wind project, alternative energy concepts, and sustainability.

Ladwig: HTA and RREDC were unable to meet this month.

VIII. STAFF REPORTS – City Manager & Law Enforcement

City Manager Naffah summarized and highlighted various accomplishments from July that were outlined in the meeting packet. Stormwater project delayed due to shortage of materials, and should be complete by October. Attended Chamber mixer on July 20. McKinleyville Chamber members were also present. TBAM will be held August 13-15, and 20-22 in Town Hall. Underground utilities phase II with upcoming changes coming soon (Rule 20A). Rule 20B is an alternative process being created to allow assessment districts to cover the cost. Verizon believes the new location in Westhaven will provide good coverage.

IX. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Erin Rowe – Trinidad

Read a statement regarding unsafe condition of Van Wycke Trail and concern for pedestrian safety. Would the Council to consider a more significant barrier.

Sarah Lindgren-Akana

Alerted the Council of a Zoom call-in issue, and that Kelly Lindgren will be sending her comments via email to the Council.

X. CONSENT AGENDA

1. Staff Activity Report – July 2021
2. Financial Statements – June 2021
3. Law Enforcement Report – July 2021
4. Second Reading of Ordinance 2021-03; Water Shortage Ordinance and Water Shortage Contingency Plan Update.

West: Pull item 5 to discuss.

*Motion (West/Davies) to approve consent 1-4, and pulling item 5 for discussion. **Passed unanimously.***

5. Permission Letter and Agreement between the City of Trinidad and the Trinidad Rancheria for the Trinidad Harbor ASBS Stormwater Runoff Management and Green Infrastructure Enhancement Project.
City Attorney Russ Gans explained that these provisions were discussed at length with the Rancheria and Council to find some mutually agreeable language. Have not seen Mr. Kenny's comments, but there is a general indemnity inclusion in section 6 of the agreement. The Tribe was also reluctant to waive sovereign immunity for dispute resolution. Section 9 would require both parties to proceed with arbitration for disputes.

Public comment included:

Bryce Kenny – Trinidad

Submitted written comments regarding agenda items presented tonight. Concerned with a waiver of immunity in the agreement between the City and Rancheria. Worth looking into prior to approval.

Tim Seward – Trinidad Rancheria Legal Council

I want to echo Mr. Gans comments. Arbitration is the preferred method of dispute resolution.

Sherri Provolt – Yurok Tribal Councilmember

I didn't see in the agreement a requirement for cultural monitors present.

Jacque Hostler-Carmeson – Trinidad Rancheria CEO

Yes, the Rancheria will have cultural monitors on site. The Yurok Tribe is welcome to send a monitor as well. This project is created to mitigate the stormwater prohibition issue. **Jonas Savage**, Rancheria Environmental Representative, summarized the project – a very small area of existing asphalt being replaced with concrete pavers.

*Motion (Grover/West) to approve permission letter and agreement between the City of Trinidad and the Trinidad Rancheria for the Trinidad Harbor ASBS Stormwater Runoff Management and Green Infrastructure Enhancement Project. **Passed unanimously.***

X. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding revised Government-to-Government Consultation Policy with Native American Tribes.

City Attorney Russ Gans explained that this item has been reviewed and discussed by the Council several times. Not identifying a specific tribe was the direction staff was given, as well as to take input/revisions from all tribal entities into account. We attempted to do so without losing the overall intent to create a procedure to facilitate consultation upon request. There is law in California that obligates consultation, and the current draft is consistent with that. The main concern that led to create this policy was a concern of the City acting legally in terms of its Brown Act obligations when consulting with Tribal Governments.

Public comment included:

Bryce Kenny – Trinidad

Commended City Attorney for doing an excellent job. Puts Trinidad on the cutting edge when meeting Brown Act obligations and Consultation requirements.

Sherri Provolt – Yurok Tribal Councilmember

The Yurok Tribe submitted 2 letters. One in December and the other in August. Both letters requested a G2G meeting, in any forum that works. That meeting has not taken place yet, but we encourage it.

Jacque Hostler-Carmeson – Trinidad Rancheria CEO

Some of our comments were accepted, and our Tribal Council can live with it. It sets the stage for increased communication in the future.

Council comments included:

Grover: This is overdue and will allow us to move ahead, and perhaps have these meetings take place on a regular basis to improve communication. Thanked everyone for their effort.

Ladwig: It's challenging to have consultations before a policy is in place, but the City can adopt a policy tonight with the intent to improve and adapt it as we begin to use it.

Clompus: We've missed many opportunities to meet with Tribal Governments. I don't want "perfect" to get in the way of excellence. We can work on this document as we move forward.

West: Is there more work needed with consultation from the Yurok Tribe before it's adopted?

City Attorney Gans explained that all comments have been considered, and various drafts have been circulated. In their August 10 letter, the Yurok Tribe and TAS requested meetings and/or time to review the recent draft.

Additional public comment included:

Sheri Provolt – Yurok Tribal Councilmember

We did not send written comments, but requested an in-person meeting instead. Concerned with projects around cultural resources, and procedure involved in addressing them. It is important for the Council to be involved in cultural resources discussions. Council has a responsibility to understand the significance of the resources that exist where you reside. The request still stands.

Shirley Laos – Trinidad Rancheria

The Rancheria is also a significant Tribal presence in the Trinidad area. My personal statement is to agree with a portion of what Sheri Provolt just said. Staff is important (little G). Leadership is big G. There are several levels of the G2G process.

Sarah Lindgren-Akana – Tsurai Ancestral Society

The TAS wrote a letter outlining many concerns. This policy is intended to be generic, but there is still a legal question about making sure the policy doesn't ensure rights to people that were previously sold. This is Yurok aboriginal territory of the Tsurai people. That's the way it is.

Jacque Hostler-Carmeson – Trinidad Rancheria CEO

On behalf of the Rancheria and Chairman Sundberg, I take offense to Ms. Lindgren's comments. The Rancheria has been a Federally recognized tribe for over 100 years. The Jessie Short case offered a settlement to various people of historic Yurok origin. They did not sell out their rights. This is not the time nor place to bring this up. The City is establishing its own consultation policy, and we support the process.

Sheri Provolt – Yurok Tribal Councilmember

I support the aboriginal territory of the Yurok Tribe. If something occurred on the Rancheria, you would consult with the Tribe. That is their trust and governed land. The land within the City limits is Yurok aboriginal territory. City government needs to understand this difference.

Tim Seward – Trinidad Rancheria Legal Representative

The Trinidad Rancheria is of Yurok descentance. It has been recognized by Congress, State, and Local governments. The Hoopa-Yurok Settlement Act does not address the City of Trinidad lands, or the relationship with other people of Yurok Tribal descent. The Rancheria is a federally recognized Tribe, which are not limited to the Trust lands owned by the Tribe. The City has an obligation to consult with California Native American Tribes, as defined by law.

City Attorney Russ Gans explained that the Yurok Tribe's comments have been considered in this agreement, and many were incorporated in the revised policy included tonight. We did not, however, include a 45-day notice procedure that would hinder or complicate the process.

Final Council comments included:

Grover: Fascinated with ancestral stories and welcome anyone to reach out to me so I can learn more.

West: I would like to have a policy in place, then schedule a meeting to finalize it, and modify it on an as-needed basis.

Clompus: Echoed previous comments.

Davies: The policy doesn't preclude meeting with any tribe or more than one at a time.

Motion (Davies/Grover) to adopt/accept the Government to Government Policy as presented, with the provision that it is recognized as a living document to be revised in the future as needed. Passed unanimously.

2. Discussion/Presentation regarding Water Advisory Committee Reports.

Cheryl Kelly began the presentation by sharing information researched regarding the Water Storage component of the City's water system (*published in full in the meeting packet*). The presentation included a brief introduction, an estimate of the storage needs, and additional storage needed (approximately 127,000 based on her figures), useful service life, and recommendations.

Richard Clompus presented research regarding improving the system by fixing leaks in the distribution system (*published in full in the meeting packet*). The presentation included a summary of the distribution system and pipe composition and sizing, useful age, average water loss, and potential short and long-term funding improvement options, improvement timelines, and recommendations.

Dwight Miller presented research regarding Water System Resiliency (*published in full in the meeting packet*). The presentation included climate change data from the California Energy Commission, two primary options for improving the City's water source (improving Luffenholtz upstream storage, or exploring a connection to Humboldt Bay Municipal Water System), upcoming timeline.

Richard Clompus explained that the City Clerk audited the public comments submitted to the City. Inside the City, 16 comments were in favor of HBMWWD connection, and 3 not in favor. Outside the City, 5 in support, 24 were against. If you listen to those against a Humboldt Bay connection, we hear that "it will cause uncontrolled development, therefore ruining our way of life" as a primary reason.

1. In the spirit of being a problem solver, if the City decides to move forward with cost-sharing a water connection, it could also pass a Resolution prohibiting the City from providing water outside the City limits without a City-wide referendum. The connection could provide water resiliency to not only City residents, but to our neighbors in Westhaven in the event of a fire or water emergency. If Trinidad residents want a once in a generation discount, this is it.
2. The Trinidad Rancheria was established in 1906. Members of the Rancheria have lived here for generations, and they have been good partners in water system improvements. They are a sovereign nation that will make decisions in the best interest of their members and obtain a drought resistant source of water and perhaps build a hotel. If they want to paint that hotel with pink polka-dots, that's their prerogative. They are good neighbors, and deserve our respect.
3. For personal reasons, my family is moving back East. We have decided to move to stay close with our family. We love Trinidad. I must resign as Councilmember due to the move. It has been an honor to serve the City.

Public comments included:

Bryce Kenny – Trinidad

Miller's report indicated the City's redwood tanks burned down once before. That is not true.

Pete Monahan – Trinidad Area

Fix leaks before looking into new sources.

Sheri Provolt – Yurok Tribal Councilmember

Old pipes need to be addressed.

Council comments:

Davies: I put my support behind loss measures, fixing leaky pipes, and exploring Mill Creek water source. I also like to recognize all the emotion behind this. Paradise had a robust water system. When fires of that size race

through a community, their water system did not have a chance. Using visceral images of wildfire to stir ranker is highly inappropriate. Let's concentrate on storage and emergency uses for water. California's wildfires do not respond to water flowing out of a hose.

Ladwig: Reminder (*memo included in meeting packet*) of several key tasks for the Water Committee to explore; backyard water collection, Trinidad-Westhaven intertie, and recharge ponds in upper Luffenholtz Creek watershed.

4. Discussion/Action Item regarding Water Advisory Committee recommendation to Request Humboldt Bay Municipal Water Consideration of City of Trinidad in Waterline Extension Project/Analysis.

Councilmember Clompus drafted a motion to permit the City to get data on the Humboldt Bay Municipal Water District connection option. Mayor Ladwig suggested holding the motion until others have a chance to speak.

West: Requested the City Manager comment on the cost and logistics of exploring this connection to HBMWD.

City Manager Naffah explained that GHD Engineer Steve Allen suggested a hydrolic analysis for the main pipe size may cost up to \$4800. They will also research a connection now vs. in the future. It appears that a 6-inch line would cover the Rancheria. This study would also determine if a larger line would be needed to provide both entities (Rancheria and City) enough water, and connection options. The City is also looking at funding options for relocating the Edwards Street main, and future planning documents. We have been denied funding from the USDA for having adequate reserves to self-fund feasibility studies.

West: People in this community are fighting for what they believe. Everyone I spoke to wants to be careful about growth. I asked Pacific Watersheds to study Luffenholtz Creek to give us information about its resiliency for today and into the future. I see advantages with both sides of the argument, but I can support putting funds toward the HBMWD concept only if we also explore Luffenholtz Creek as well.

Grover: Agree with West. The more information we get, the better.

Davies: We cannot approve an expenditure that has not been agendized properly.

Public comments included:

Paula Levine – Trinidad Area water customer

Critical of Steve Madrone's proposal to improve upstream Luffenholtz Creek watershed, and voiced support for funding feasibility of the HBMWD connection.

Aaron Hakenen – Trinidad

Whatever happens, it needs to be a multi-faceted and data-driven decision. Not fear based. The City needs to pursue a secondary water source and study all options in parallel. The watersheds are much drier than ever before. Great suggestions to recharge the watershed, but they too are dependent on rain. Growth concerns are limited by planning restrictions and septic capacities. I moved my family to Trinidad because of its character, and believe we should get as much information as possible to make educated decisions.

Don Allan – Trinidad Area

Thanked the advisory committee, and Councilmember West for hiring PWA to study Luffenholtz. There is a lot of emotion and the decision needs to be made rationally. I volunteered on Trinidad Fire many years ago. We could have lost Trinidad during a fire event that occurred in the State Park area near Trinidad School. It was the helicopters dropping water that saved us, not the City's fire hydrants. Is the City willing to guarantee it will not sell water outside its current service area? You are making decisions that will affect your neighbors outside the City.

Sheri Provolt – Yurok Tribal Councilmember

Speaking as a private resident, I've lived here all my life. Water is not cheap. We have failed to take steps to avoid getting where we are today. I oppose the HBMWD connection.

Dave Hankin – Trinidad Area

If there is a serious fire, the local water supplies are irrelevant. What new data do we have here? If HBMWD takes control over the new pipeline, who decides who gets future water connections? How do they respond to questions like that?

Bryce Kenny – Trinidad

Concerned with reconsidering this for a third time. Is Trinidad special or not? It cannot be expressed in data. The Trinidad lifestyle and experience has been more commodified more recently than ever before. For many people it's a place to park money. Proponents of the pipeline are resorting to scare-tactics. Trinidad is not completely built-out. What about ADU's? We can't trust the political process. Wait until people start throwing money at the political process. Then we'll see when our democratic system gets perverted beyond the boundaries of reason. Think about the alternatives.

Neil Steinberg – Trinidad

Argument of environmental damage from bringing a pipeline up to Trinidad when the Rancheria will do it anyway is moot. I take issue with the newcomer argument. I see drought problems everywhere. I'm concerned with not having drinking water or not being able to shower. I'm not worried about fire. We could come up with legislation to deal with development. That's a red herring.

Dwight Miller – Trinidad

We need more data to make the right decisions. Let's look at both options proposed tonight.

Heather Lovig - Trinidad

I'm a SoCal transplant, but a 20-year resident of Humboldt. I've lived on properties with dry wells in Westhaven. It's very stressful. Please consider paying for both studies. Let's see the data. If we tie-in to the HBMWD connection, growth will be managed.

Council comments included:

West: If we are unable to vote on Pacific Watershed Associates contract proposal tonight, I will be able to support a motion that ensures both studies will be funded.

Davies: I haven't got my way on many things in the past was unable to bring them back to change the will of the Council. I'm not for this, but I'm in favor of getting all the information. Nobody gets anything for free.

City Manager Naffah explained that the studies would benefit the entire community, and it is a very small amount to spend compared to the reserve funds the City has. What do we have right now, and how concerned should we be? The Water Advisory Committee has asked a lot of questions, and brought this back to you. Because of the timing we may be able to save quite a bit of money. It's worth taking advantage of so the Council can make an informed decision.

Grover: I've heard a lot tonight about returning this discussion for a third time. The second discussion was due to a technical issue, and the vote was the same as the first time. We need to make the best decision possible, and any information we can get is important to that process.

Ladwig: I have not seen any new, substantive information. Our municipal code allows the re-introduction of discussions, and that should be cleaned up.

Motion (Clompus/Grover) to:

- *Consider sharing in a pipeline with the Rancheria, and*
- *The Trinidad City Council will send City representatives to the Board meeting, August 12, 2021, of the Humboldt Bay Municipal Water District (HBMWD), and*
- *Those representatives will request a one-month delay for signing of a HBMWD contract, with the Trinidad Rancheria and the McKinleyville Community Services District, to build a pipeline from McKinleyville to the Rancheria, and*
- *The Trinidad City Council requests until September 2, 2021, for City Staff to determine the costs, time-to-completion, and other contractual issues sufficient for a decision by the City Council on participating in that contract, at a Special Meeting on September 7, 2021.*

Davies: This does not say feasibility or cost analysis.

Clompus: This is a delay to permit the Council to get data. This is not a vote to connect to a pipeline. It's to delay, and get data. Once the data is received, the decision can be made whether to connect or not.

West: Can we postpone this to a later date when we come back with Pacific Watershed Associates info. If we can't get that info, I can't support it. If we can extend the date to October, I will support it.

REVISED MOTION (Clompus/Grover) to:

- *Consider sharing in a pipeline with the Rancheria, and*
- *The Trinidad City Council will send City representatives to the Board meeting, August 12, 2021, of the Humboldt Bay Municipal Water District (HBMWD), and*
- *Those representatives will request a one-month delay for signing of a HBMWD contract, with the Trinidad Rancheria and the McKinleyville Community Services District, to build a pipeline from McKinleyville to the Rancheria, and*
- *The Trinidad City Council requests until October 01, 2021, for City Staff to determine the costs, time-to-completion, and other contractual issues sufficient for a decision by the City Council on participating in that contract, at the Regular Meeting on October 12, 2021.*

Passed 3-2. Yes – Clompus, Grover, West. **No** – Ladwig, Davies.

5. Discussion/Decision regarding Resolution 2021-09; Approving Financial Assistance Application from DWSRF for Water System Planning
Continued to the August 24 meeting.
6. Discussion/Decision regarding Trinidad Head Trail Sign recommendation from the Trails Committee.
Continued to the August 24 meeting.
7. Discussion/Decision regarding Trails Committee recommendations regarding signage replacement and Axel Lindgren Memorial Trail Improvements.
Continued to the August 24 meeting.

FUTURE AGENDA ITEMS

ADJOURNMENT: 10:30pm.

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

Steve Ladwig
Mayor



COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS



Committee Reports for Council Member Richard Clompus, September 14, 2021

1. Indian Gaming Benefits Committee

- No meetings scheduled for this committee. Inactive since 2011 due to lack of state funds.

2. California Coastal National Monument Gateway Committee (CCNM)

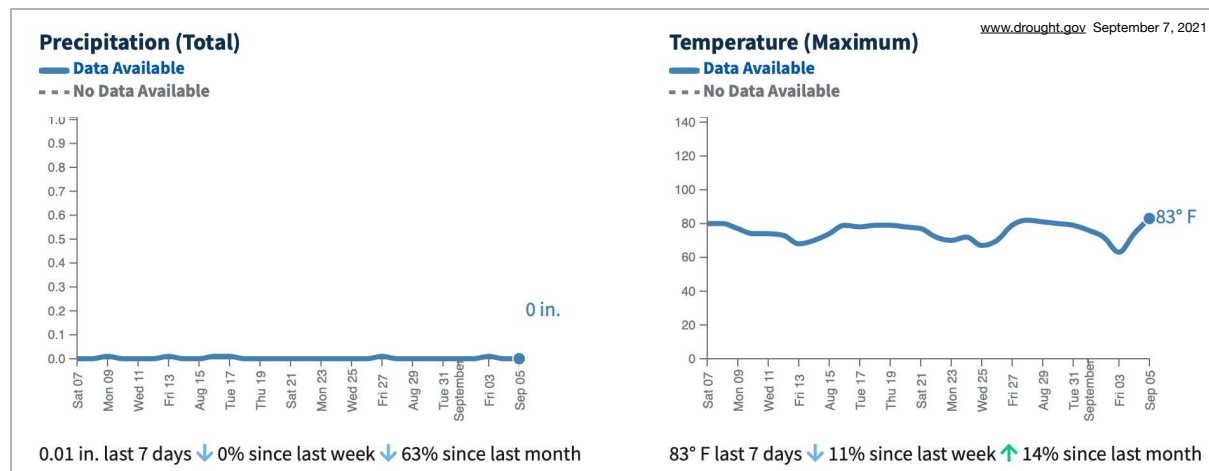
- Trinidad Appreciation Weekend scheduled for September 25th & 26th, 2021** sponsored and supported by members of the California Coastal National Monument Trinidad Gateway Group. COVID safety protocols will be in place.
- Dispersed, small group activities will highlight the offshore rocks and diverse wildlife that includes mini kayak tours, bi-lingual bird walks to the Trinidad Head Lighthouse, fishing for kids and families off the pier, seabird watching, coastal cleanup and more. **A detailed schedule is available at: www.trinidadcoastallandtrust.org.**

3. Humboldt County Visitors Bureau (HCVB)

- Visitredwoods.com website continues to support organizations that highlight the natural beauty and local offerings in Trinidad.

4. Water Ad Hoc Committee

- This is the final drought report from this committee. It will be dissolved and replaced this month by the Water Shortage Response Team consisting of:
 - City Manager
 - Public Works Director
 - Planning Commissioner
 - City Council Member
- www.Drought.gov:**
 - Trinidad is experiencing **EXTREME DROUGHT** in Humboldt County www.drought.gov
 - All residents in Humboldt County are impacted by drought
 - This year is the 27th driest year in the past 127 years of recorded data
 - ↓10.17 inches of rain this year from normal rainfall



Drought Indicators

www.drought.gov September 7, 2021

Indicators are variables used to describe drought conditions (e.g., precipitation, temperature, streamflow, groundwater and reservoir levels, soil moisture, and snowpack). In order to get a complete picture of drought conditions, several drought indicators should be examined.

U.S. Drought Monitor

08/31/2021 - Updated Weekly

Precipitation (60 day)

09/05/2021 - Updated Weekly

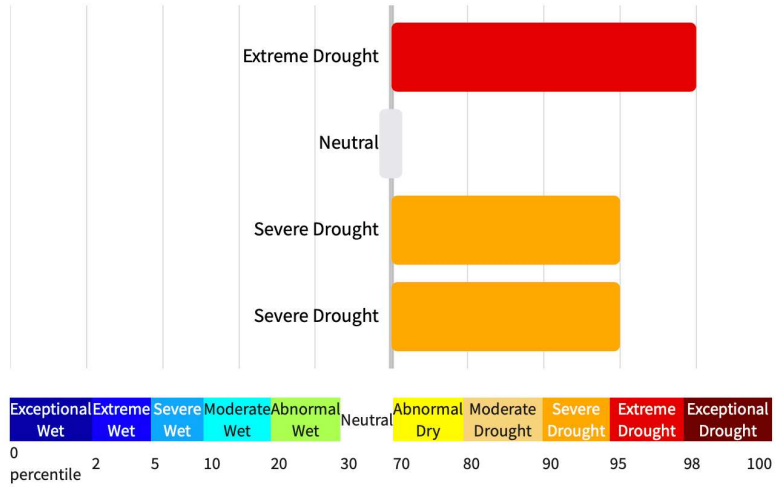
Palmer Drought Severity Index

09/02/2021 - Updated Weekly

Streamflow (Closest Ranked Gauge)

09/07/2021 - Updated Daily

For maps and detailed analysis, visit the
Climate Toolbox Water Watcher



Current Conditions for Humboldt County

[View More National Drought Maps](#)

[U.S. Drought Monitor](#) [Temperature \(30-Day Departure from Normal\)](#) [Precipitation \(30-Day % of Normal\)](#)

The U.S. Drought Monitor (USDM) is updated each Thursday to show the location and intensity of drought across the country using a five-category system, from Abnormally Dry (D0) conditions to Exceptional Drought (D4). The USDM is a joint effort of the National Drought Mitigation Center, USDA, and NOAA. [Learn more.](#)



D0 - Abnormally Dry

- Soil is dry; irrigation delivery begins early
- Dryland crop germination is stunted
- Active fire season begins

100.00% of Humboldt County (D0-D4)



D1 - Moderate Drought

- Dryland pasture growth is stunted; producers give supplemental feed to cattle
- Landscaping and gardens need irrigation earlier; wildlife patterns begin to change
- Stock ponds and creeks are lower than usual

100.00% of Humboldt County (D1-D4)



D2 - Severe Drought

- Grazing land is inadequate
- Fire season is longer, with high burn intensity, dry fuels, and large fire spatial extent
- Trees are stressed; plants increase reproductive mechanisms; wildlife diseases increase

100.00% of Humboldt County (D2-D4)



D3 - Extreme Drought

- Livestock need expensive supplemental feed; cattle and horses are sold; little pasture remains; fruit trees bud early; producers begin irrigating in the winter
- Fire season lasts year-round; fires occur in typically wet parts of state; burn bans are implemented
- Water is inadequate for agriculture, wildlife, and urban needs; reservoirs are extremely low; hydropower is restricted

72.09% of Humboldt County (D3-D4)



D4 - Exceptional Drought

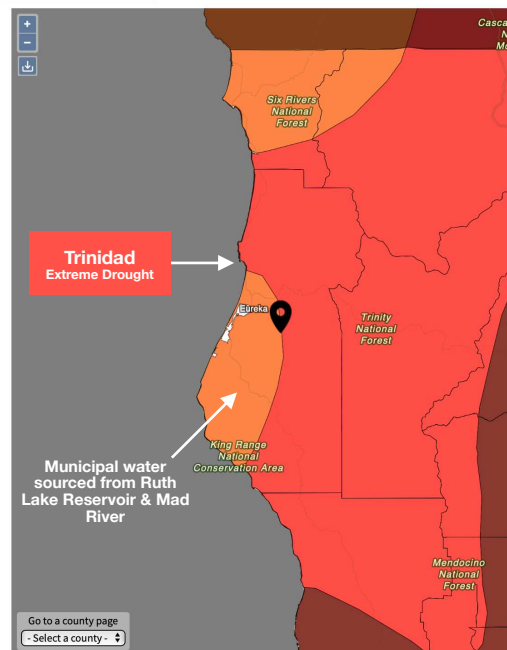
- Fields are left fallow; orchards are removed; vegetable yields are low; honey harvest is small
- Fire season is very costly; number of fires and area burned are extensive
- Fish rescue and relocation begins; pine beetle infestation occurs; forest mortality is high; wetlands dry up; survival of native plants and animals is low; fewer wildflowers bloom; wildlife death is widespread; algae blooms appear

0.00% of Humboldt County (D4)

Source(s): U.S. Drought Monitor

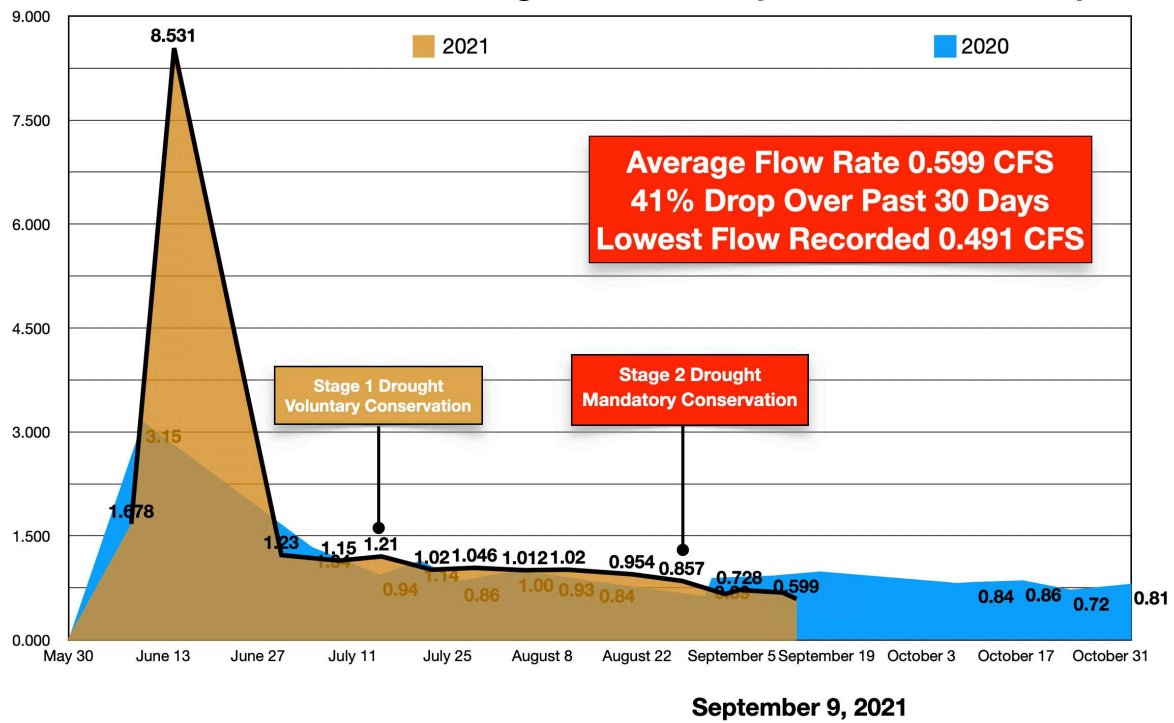
Extreme Drought

- Fire season lasts year-round, fires occur in typically wet parts of the state
- Water is inadequate for agriculture, wildlife, and urban needs, reservoirs are extremely low, hydropower is restricted



www.drought.gov September 7, 2021

Luffenholtz Creek Average Flow Rate (cubic feet/second)





View Video Mill Creek 9-9-21

Trinidad City Water Drought Reference Card			
Stage	Water Supply Conditions	Shortage	Demand Reduction Actions
Normal	Normal operating conditions	0%	Established water restrictions
Stage 1: Water Shortage Alert	Luffenholtz Creek flow rate reduced	0%	Public outreach, education, voluntary reductions.
Stage 2: Water Shortage Warning	Luffenholtz Creek flow rate low at 0.86 cfs	0%	Mandatory water use restriction
Stage 3: Water Shortage Emergency	Reduced pumping capacity at water plant	0-25%	Mandatory water restrictions and rationing
Stage 4: Severe Water Shortage Emergency	Further reduced pumping capacity at the plant, or restrictions based on required bypass flows	25-50%	Strict water rationing, monitoring and enforcement of water use
Stage 5: Critical Water Shortage Emergency	Extreme low flow on Luffenholtz; emergency water service disruption due to disaster or plant failure; insufficient water for sanitation and fire protection.	50-100%	Severe water rationing; water supply supplementation

STAGE 2: WATER SHORTAGE WARNING

During Stage 2, it shall be unlawful for any person, firm, partnership, association, corporation, political body (including the city) or other water department customer:

1. To water or irrigate lawn, landscape, or other vegetated area between the hours of 10:00 a.m. and 5:00 p.m., except when performed with a bucket or watering can, or by use of a drip irrigation system or similar low volume, non-spray irrigation equipment, or for very short periods of time for the express purpose of allowing landscape contractors to adjust or repair an irrigation system;
2. To irrigate unlandscaped areas;
3. To use a hose that is not equipped with a shutoff nozzle for any purpose;
4. To use water to wash down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking lots, tennis courts, patios, or other paved surfaces, except when it is necessary to alleviate safety or sanitation hazards or to prepare paved surfaces for sealing;
5. To wash the exterior of dwellings, buildings or structures (with the exception of window washing and preparation of property for painting or for sale);
6. To operate a commercial lodging establishment, including STRs, without offering patrons the option to forego the daily laundering of towels, sheets and linens;
7. To serve water in a restaurant or other commercial food service establishment except upon the request of a patron; and/or
8. To disobey WSRT direction to large users to conduct water use audits and to prepare water conservation plans.

5. Trinidad Water Advisory Committee

The committee's objectives as described in City RESOLUTION 2021-02 are as follows:

- **PURPOSE:**

1. Evaluate water needs of the City
2. Analyze potential options of water sources and infrastructure
3. Assist the Council in pursuing water-related opportunities including funding

- **OBJECTIVES:**

1. Provide a public forum to address and discuss water concerns and solutions
2. Assist the City Manager and Public Works Department in addressing water-related issues
3. Make balanced and informed recommendations to the City Council on ways to improve the supply of water
4. Report to the Council regularly

- **Members include:** Richard Clompus, Chair (City Council Member), Dave Grover, Co-Chair (City Council Member), Cheryl Kelly (City Planning Commission Chair), Bryce Kenny (water customer), Dwight Miller (water customer).

- **Committee Meeting on September 7, 2021 with the following reports presented:**

1. **Review of Trucked In Water by Dave Grover**
2. **Review of Mill Creek Water Rights by Bryce Kenny**
3. **Review of Public Water Catchment by Cheryl Kelly**
4. **Review of Upstream Water Catchment by Supervisor Steve Madrone**
5. **2003 Winzler & Kelly Feasibility Study of Tapping Springs Above Luffenholtz Creek by Richard Clompus**



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION ATTACHED

1. Staff Activity Report – August 2021

City Manager's Report

Date: September 14, 2021

New Employee:

The City has hired a new part-time Administrative Assistant named Anton Souza. Anton is working in the City Clerk's office. He has been an elementary and middle school teacher for the past 5 years in both the Bay Area and Humboldt County. He even taught a college level course at SFSU. Welcome him if you stop by to pay your water bill.

TBAM:

The Trinidad Bay Arts and Music Festival held August 13th-15th and August 20th-22nd, in the Town Hall was a success. A number of local artists performed from various genres. Proof of vaccinations or negative COVID tests were required. A Thank You email was sent to the City on behalf of the Festival organizers.

CCNM Gateway:

The California Coastal National Monument (CCNM) Gateway will be holding Trinidad Appreciation Weekend September 25 and 26. This is a dispersed outdoor celebration of the Trinidad Gateway of the CCNM with COVID safety protocols in place. Weekend activities include Mini kayak tours, bi-lingual walks to the Trinidad Head Lighthouse, fishing for kids and families off the pier, seabird watching, coastal cleanup and more. A detailed schedule is available at: trinidadcoastallandtrust.org.

Verizon Wireless Cell Tower:

A meeting will be held on Monday with staff and representatives of Verizon to discuss decommissioning the Trinidad Head site and progress on the Westhaven cell site. This should be happening around the turn of the year. A progress report will be shared at the Tuesday City Council meeting.

Trinidad Head Trail Sign:

The replacement of the Trinidad Head Trail sign will be brought to a future City Council meeting. Ongoing discussions with interested parties are continuing in order to allow for additional input.

Parking Signage:

Signage has been ordered and installed at the Trinidad Bay Eatery to prohibit parking that blocks the sidewalk since that is a state code violation. Signage will be installed also by the Tennis Courts to prohibit parking that encroaches and blocks the sidewalk in front of the courts. Some warnings have been issued to violators and repeat violations will be cited by the Deputy Sheriffs. No Parking signage for late evening/early morning hours is being ordered for the north side of Main Street and the Library/Museum parking lot in response to recent city ordinances.



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION ATTACHED

2. Financial Statements – July 2021

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 7/1/2021 Through 7/31/2021

		Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue					
41010	PROPERTY TAX - SECURED	0.00	0.00	100,000.00	100.00)%
41020	PROPERTY TAX - UNSECURED	0.00	0.00	3,800.00	100.00)%
41040	PROPERTY TAX-PRIOR UNSECURED	0.00	0.00	25.00	100.00)%
41050	PROPERTY TAX - CURRENT SUPPL	0.00	0.00	1,300.00	100.00)%
41060	PROPERTY TAX-PRIOR SUPPL	0.00	0.00	200.00	100.00)%
41070	PROPERTY TAX - FINES	0.00	0.00	500.00	100.00)%
41110	PROPERTY TAX EXEMPTION	0.00	0.00	1,300.00	100.00)%
41130	PUBLIC SAFETY 1/2 CENT	0.00	0.00	1,900.00	100.00)%
41140	PROPERTY TAX - DOCUMENTARY RE	0.00	0.00	4,500.00	100.00)%
41220	IN LIEU VLF	0.00	0.00	28,500.00	100.00)%
42000	SALES & USE TAX	0.00	0.00	280,000.00	100.00)%
43000	TRANSIENT LODGING TAX	0.00	0.00	140,000.00	100.00)%
46000	GRANT INCOME	0.00	0.00	68,000.00	100.00)%
46100	Measure Z Grant Income	0.00	0.00	75,000.00	100.00)%
47310	VEHICLE LICENSE COLLECTION	0.00	0.00	300.00	100.00)%
53010	COPY MACHINE FEE	0.00	0.00	50.00	100.00)%
53020	INTEREST INCOME	16.01	16.01	25,300.00	(99.94)%
53090	OTHER MISCELLANEOUS INCOME	0.00	0.00	9,000.00	100.00)%
54020	PLANNER- APPLICATION PROCESSIN	0.00	0.00	15,000.00	100.00)%
54050	BLDG.INSR-APPLICATION PROCESSI	0.00	0.00	10,000.00	100.00)%
54100	ANIMAL LICENSE FEES	0.00	0.00	300.00	100.00)%
54150	BUSINESS LICENSE TAX	0.00	0.00	9,000.00	100.00)%
54170	STR License Fee (Short Term Rental)	0.00	0.00	9,600.00	100.00)%
54300	ENCROACHMENT PERMIT FEES	0.00	0.00	400.00	100.00)%
56400	RENT - VERIZON	0.00	0.00	27,000.00	100.00)%
56500	RENT - HARBOR LEASE	0.00	0.00	5,125.00	100.00)%
56550	RENT - PG& E	0.00	0.00	9,500.00	100.00)%
56650	RENT - SUDDENLINK	0.00	0.00	6,500.00	100.00)%
56700	RENT - TOWN HALL	0.00	0.00	2,500.00	100.00)%
	Total Revenue	16.01	16.01	834,600.00	100.00)%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 7/1/2021 Through 7/31/2021

		Current Month	Year to Date	Total Budget - Original	% of Budget
	Expense				
60900	HONORARIUMS	250.00	250.00	3,000.00	91.67%
61000	EMPLOYEE GROSS WAGE	10,049.56	10,049.56	142,112.00	92.93%
61470	FRINGE BENEFITS	369.24	369.24	3,120.00	88.17%
65100	DEFERRED RETIREMENT	1,161.77	1,161.77	15,406.00	92.46%
65200	MEDICAL INSURANCE AND EXPENSE	1,838.25	1,838.25	23,607.00	92.21%
65250	Health Savings Program	16.63	16.63	1,050.00	98.42%
65300	WORKMEN'S COMP INSURANCE	905.11	905.11	4,724.00	80.84%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	72.26	72.26	750.00	90.37%
65600	PAYROLL TAX	870.92	870.92	12,050.00	92.77%
65800	Grant Payroll Allocation	(788.81)	(788.81)	(8,000.00)	90.14%
68090	CRIME BOND	0.00	0.00	550.00	100.00%
68200	INSURANCE - LIABILITY	15,007.20	15,007.20	13,600.00	(10.35)%
68300	PROPERTY & CASUALTY	0.00	0.00	6,250.00	100.00%
71110	ATTORNEY-ADMINISTRATIVE TASKS	7,842.50	7,842.50	85,000.00	90.77%
71310	CITY PLANNER-ADMIN. TASKS	9,497.05	9,497.05	75,000.00	87.34%
71410	BLDG INSPECTOR-ADMIN TASKS	2,008.66	2,008.66	25,000.00	91.97%
71510	ACCOUNTANT-ADMIN TASKS	1,078.02	1,078.02	17,000.00	93.66%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	16,000.00	100.00%
72000	CHAMBER OF COMMERCE	0.00	0.00	15,000.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	84.00	84.00	5,000.00	98.32%
75160	LIBRARY RENT & LOCAL CONTRIB.	500.00	500.00	2,000.00	75.00%
75170	RENT	750.00	750.00	9,000.00	91.67%
75180	UTILITIES	812.45	812.45	12,000.00	93.23%
75190	DUES & MEMBERSHIP	0.00	0.00	1,000.00	100.00%
75200	MUNICIPAL/UPDATE EXPENSE	1,510.75	1,510.75	3,500.00	56.84%
75220	OFFICE SUPPLIES & EXPENSE	575.36	575.36	7,500.00	92.33%
75240	BANK CHARGES	0.00	0.00	100.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	200.00	100.00%
75990	MISCELLANEOUS EXPENSE	198.53	198.53	500.00	60.29%
76110	TELEPHONE	243.16	243.16	6,000.00	95.95%
76130	CABLE & INTERNET SERVICE	143.45	143.45	3,000.00	95.22%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78170	SECURITY SYSTEM	76.50	76.50	500.00	84.70%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,500.00	100.00%
	Total Expense	55,072.56	55,072.56	504,519.00	89.08%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 7/1/2021 Through 7/31/2021

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
61000	EMPLOYEE GROSS WAGE	505.60	505.60	6,028.00	91.61%
61470	FRINGE BENEFITS	0.00	0.00	240.00	100.00%
65100	DEFERRED RETIREMENT	62.88	62.88	723.00	91.30%
65200	MEDICAL INSURANCE AND EXPENSE	47.72	47.72	604.00	92.10%
65250	Health Savings Program	0.50	0.50	35.00	98.57%
65300	WORKMEN'S COMP INSURANCE	38.32	38.32	200.00	80.84%
65600	PAYROLL TAX	44.36	44.36	516.00	91.40%
75170	RENT	750.00	750.00	9,000.00	91.67%
75180	UTILITIES	167.62	167.62	2,500.00	93.30%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	500.00	100.00%
75300	CONTRACTED SERVICES	19,979.44	19,979.44	89,000.00	77.55%
75350	ANIMAL CONTROL	133.00	133.00	1,600.00	91.69%
76110	TELEPHONE	0.00	0.00	600.00	100.00%
76130	CABLE & INTERNET SERVICE	90.45	90.45	0.00	0.00%
78170	SECURITY SYSTEM	0.00	0.00	600.00	100.00%
	Total Expense	<u>21,819.89</u>	<u>21,819.89</u>	<u>112,146.00</u>	<u>80.54%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 7/1/2021 Through 7/31/2021

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
60900	HONORARIUMS	150.00	150.00	2,400.00	93.75%
75180	UTILITIES	62.08	62.08	1,150.00	94.60%
75190	DUES & MEMBERSHIP	135.62	135.62	350.00	61.25%
75280	TRAINING / EDUCATION	0.00	0.00	500.00	100.00%
76110	TELEPHONE	100.63	100.63	1,300.00	92.26%
76140	RADIO & DISPATCH	0.00	0.00	1,800.00	100.00%
78140	VEHICLE FUEL & OIL	69.98	69.98	350.00	80.01%
78150	VEHICLE REPAIRS	189.07	189.07	2,500.00	92.44%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	3,000.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	5,000.00	100.00%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
	Total Expense	<u>707.38</u>	<u>707.38</u>	<u>19,350.00</u>	<u>96.34%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 7/1/2021 Through 7/31/2021

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
61000	EMPLOYEE GROSS WAGE	5,185.79	5,185.79	103,521.00	94.99%
61250	OVERTIME	0.00	0.00	500.00	100.00%
61470	FRINGE BENEFITS	0.00	0.00	720.00	100.00%
65000	EMPLOYEE TAXES, INSUR & BENEFI	0.00	0.00	100.00	100.00%
65100	DEFERRED RETIREMENT	560.27	560.27	9,053.00	93.81%
65200	MEDICAL INSURANCE AND EXPENSE	1,480.11	1,480.11	21,171.00	93.01%
65250	Health Savings Program	12.85	12.85	882.00	98.54%
65300	WORKMEN'S COMP INSURANCE	659.29	659.29	3,441.00	80.84%
65600	PAYROLL TAX	436.12	436.12	8,612.00	94.94%
65800	Grant Payroll Allocation	(3,505.81)	(3,505.81)	(65,000.00)	94.61%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	13,000.00	100.00%
75180	UTILITIES	12.92	12.92	0.00	0.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	3,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	10,000.00	100.00%
75370	UNIFORMS/PERSONAL EQUIP.	241.59	241.59	1,000.00	75.84%
78100	STREET MAINT/REPAIR/SANITATION	0.00	0.00	5,000.00	100.00%
78120	STREET LIGHTING	330.41	330.41	5,000.00	93.39%
78130	TRAIL MAINTENANCE	0.00	0.00	10,000.00	100.00%
78140	VEHICLE FUEL & OIL	77.94	77.94	4,000.00	98.05%
78150	VEHICLE REPAIRS	1,250.87	1,250.87	2,500.00	49.97%
78160	BUILDING REPAIRS & MAINTENANCE	535.76	535.76	14,000.00	96.17%
78190	MATERIALS, SUPPLIES & EQUIPMEN	68.11	68.11	5,000.00	98.64%
78200	EQUIPMENT REPAIRS & MAINTENANC	152.74	152.74	2,500.00	93.89%
	Total Expense	7,498.96	7,498.96	158,000.00	95.25%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 7/1/2021 Through 7/31/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
56150	FRANCHISE FEES	0.00	0.00	10,000.00	(100.00)%
	Total Revenue	0.00	0.00	10,000.00	(100.00)%
	Expense				
61000	EMPLOYEE GROSS WAGE	286.27	286.27	4,545.00	93.70%
65100	DEFERRED RETIREMENT	34.35	34.35	545.00	93.70%
65200	MEDICAL INSURANCE AND EXPENSE	59.07	59.07	765.00	92.28%
65250	Health Savings Program	1.20	1.20	84.00	98.57%
65300	WORKMEN'S COMP INSURANCE	28.93	28.93	151.00	80.84%
65600	PAYROLL TAX	24.27	24.27	389.00	93.76%
75130	GARBAGE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,800.00	100.00%
	Total Expense	434.09	434.09	8,779.00	95.06%
	Net Income	(434.09)	(434.09)	1,221.00	(135.55)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
303 - COPS Program
From 7/1/2021 Through 7/31/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	0.00	155,000.00	(100.00)%
	Total Revenue	0.00	0.00	155,000.00	(100.00)%
	Expense				
75300	CONTRACTED SERVICES	40,671.25	40,671.25	244,000.00	83.33%
	Total Expense	40,671.25	40,671.25	244,000.00	83.33%
	Net Income	(40,671.25)	(40,671.25)	(89,000.00)	(54.30)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
503 - State Gas Tax
From 7/1/2021 Through 7/31/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	0.00	15,000.00	(100.00)%
47030	GAS TAX REVENUE (2103)	337.52	337.52	0.00	0.00%
47050	GAS TAX REVENUE (2105)	180.78	180.78	0.00	0.00%
47060	GAS TAX REVENUE (2106)	531.51	531.51	0.00	0.00%
47070	GAS TAX REVENUE (2107)	247.73	247.73	0.00	0.00%
47075	GAS TAX REVENUE (2107.5)	1,000.00	1,000.00	0.00	0.00%
	Total Revenue	2,297.54	2,297.54	15,000.00	(84.68)%
	Expense				
60000	INTERDEPARTMENTAL TRANSFER EXP	0.00	0.00	40,000.00	100.00%
	Total Expense	0.00	0.00	40,000.00	100.00%
	Net Income	2,297.54	2,297.54	(25,000.00)	(109.19)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
504 - TDA - Transportation Development Agency
From 7/1/2021 Through 7/31/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	0.00	12,500.00	(100.00)%
	Total Revenue	0.00	0.00	12,500.00	(100.00)%
	Expense				
60000	INTERDEPARTMENTAL TRANSFER EXP	0.00	0.00	12,000.00	100.00%
75250	TRANSIT SERVICES- HTA	5,029.48	5,029.48	0.00	0.00%
	Total Expense	5,029.48	5,029.48	12,000.00	58.09%
	Net Income	(5,029.48)	(5,029.48)	500.00	(1,105.90)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 7/1/2021 Through 7/31/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	12,000.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	0.00	0.00	1,000.00	(100.00)%
57100	WATER SALES	28,128.86	28,128.86	315,000.00	(91.07)%
57200	Water Sales - Wholesale	0.00	0.00	8,000.00	(100.00)%
57500	WATER A/R PENALTIES	277.79	277.79	6,000.00	(95.37)%
	Total Revenue	28,406.65	28,406.65	342,000.00	(91.69)%
Expense					
61000	EMPLOYEE GROSS WAGE	8,759.56	8,759.56	136,521.00	93.58%
61470	FRINGE BENEFITS	0.00	0.00	720.00	100.00%
65100	DEFERRED RETIREMENT	930.27	930.27	13,537.00	93.13%
65200	MEDICAL INSURANCE AND EXPENSE	2,887.43	2,887.43	37,094.00	92.22%
65250	Health Savings Program	22.20	22.20	1,344.00	98.35%
65300	WORKMEN'S COMP INSURANCE	869.47	869.47	4,538.00	80.84%
65600	PAYROLL TAX	738.93	738.93	11,479.00	93.56%
68090	CRIME BOND	0.00	0.00	300.00	100.00%
68200	INSURANCE - LIABILITY	8,080.80	8,080.80	7,325.00	(10.32)%
68300	PROPERTY & CASUALTY	0.00	0.00	3,350.00	100.00%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	500.00	100.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	2,500.00	100.00%
71230	ENGINEER-SPECIAL PROJECTS	0.00	0.00	25,000.00	100.00%
71310	CITY PLANNER-ADMIN. TASKS	902.50	902.50	10,000.00	90.97%
71510	ACCOUNTANT-ADMIN TASKS	580.48	580.48	9,000.00	93.55%
71620	AUDITOR-FINANCIAL REPORTS	0.00	0.00	7,000.00	100.00%
72100	BAD DEBTS	0.00	0.00	100.00	100.00%
75180	UTILITIES	1,367.28	1,367.28	14,000.00	90.23%
75190	DUES & MEMBERSHIP	545.00	545.00	700.00	22.14%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	200.00	100.00%
75220	OFFICE SUPPLIES & EXPENSE	353.35	353.35	5,000.00	92.93%
75240	BANK CHARGES	10.00	10.00	100.00	90.00%
75280	TRAINING / EDUCATION	0.00	0.00	750.00	100.00%
75300	CONTRACTED SERVICES	12,211.79	12,211.79	19,000.00	35.73%
76110	TELEPHONE	182.39	182.39	1,800.00	89.87%
76130	CABLE & INTERNET SERVICE	61.95	61.95	750.00	91.74%
76160	LICENSES & FEES	0.00	0.00	3,600.00	100.00%
78140	VEHICLE FUEL & OIL	295.55	295.55	1,500.00	80.30%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	0.00	4,250.00	100.00%
78170	SECURITY SYSTEM	79.50	79.50	500.00	84.10%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	5,000.00	100.00%
78200	EQUIPMENT REPAIRS & MAINTENANC	74.29	74.29	7,500.00	99.01%
79100	WATER LAB FEES	1,245.00	1,245.00	6,000.00	79.25%
79120	WATER PLANT CHEMICALS	1,400.18	1,400.18	7,500.00	81.33%
79150	WATER LINE REPAIR	368.81	368.81	25,000.00	98.52%
79160	WATER PLANT REPAIR	0.00	0.00	3,000.00	100.00%
	Total Expense	41,966.73	41,966.73	378,958.00	88.93%
	Net Income	(13,560.08)	(13,560.08)	(36,958.00)	(63.31)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 7/1/2021 Through 7/31/2021

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
53020	INTEREST INCOME	0.00	0.00	250.00	(100.00)%
58100	CEMETERY PLOT SALES	0.00	0.00	12,000.00	(100.00)%
	Total Revenue	0.00	0.00	12,250.00	(100.00)%
	Expense				
61000	EMPLOYEE GROSS WAGE	442.45	442.45	6,884.00	93.57%
65100	DEFERRED RETIREMENT	53.09	53.09	826.00	93.57%
65200	MEDICAL INSURANCE AND EXPENSE	124.83	124.83	1,598.00	92.19%
65250	Health Savings Program	1.62	1.62	105.00	98.46%
65300	WORKMEN'S COMP INSURANCE	43.88	43.88	229.00	80.84%
65600	PAYROLL TAX	37.54	37.54	590.00	93.64%
75180	UTILITIES	45.23	45.23	493.00	90.83%
75300	CONTRACTED SERVICES	0.00	0.00	3,000.00	100.00%
78170	SECURITY SYSTEM	106.50	106.50	450.00	76.33%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	500.00	100.00%
	Total Expense	855.14	855.14	14,675.00	94.17%
	Net Income	(855.14)	(855.14)	(2,425.00)	(64.74)%



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION ATTACHED

3. Law Enforcement Report – August 2021

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

Page 1

Incident Search Results**City is trinidad or trin, Date Between 7/12/2021 and 8/15/2021**

08/17/2021

Date	Inc #	Type	Time	Location	Dispositio
07/12/2021	2107120001	415	00:02:13	597 OLD WAGON RD	Duplicate Call
07/12/2021	2107120006	33X	00:47:40	895 UNDERWOOD DR	Cad Documentation Only
07/12/2021	2107120067	459R	10:26:07	510 BIG LAGOON PARK RD	Cad Documentation Only
07/12/2021	2107120098	PC	12:20:50	(UNKNOWN ADDRESS) SCENIC	Cad Documentation Only
07/12/2021	2107120103	FRAUD	12:43:00	161 WESTGATE DR	Report Taken
07/12/2021	2107120107	911C	12:56:23	(UNKNOWN ADDRESS) Hwy 201	Referred To Other Agency
07/12/2021	2107120119	WELF	13:45:17	382 ROUNDHOUSE CREEK RD	Cad Documentation Only
07/12/2021	2107120190	DUI	21:30:51	389 MAIN ST	Not as Reported
07/13/2021	2107130039	459V	08:32:11	.CAMEL ROCK BEACH PAKING	Online Report
07/13/2021	2107130042	ANIMAL	08:41:19	1075 STAGECOACH RD	Warned
07/13/2021	2107130054	RO	09:39:35	382 ROUNDHOUSE CREEK RD	Report Taken
07/13/2021	2107130082	ASSISTP	12:31:15	STUMPTOWN RD	Public Assist
07/13/2021	2107130117	FU	15:49:01	1 STAGECOACH RD	Unable to Locate
07/13/2021	2107130124	WELF	16:32:35	441 PATRICKS POINT DR	Public Assist
07/13/2021	2107130130	TRF	16:57:49	1 LIGHTHOUSE RD	Warned
07/13/2021	2107130146	911C	19:39:29	1860 PATRICKS POINT DR	Cad Documentation Only
07/14/2021	2107140113	FU	16:27:27	341 OCEAN AVE	Cad Documentation Only
07/14/2021	2107140161	RJ	21:18:49	753 PATRICKS POINT DR	Cancel Per Rp
07/15/2021	2107150039	DISP	08:58:37	155 STAGECOACH RD	Test
07/15/2021	2107150074	911C	11:25:43	607 PARKER ST	Pending Recontact From Rp
07/15/2021	2107150110	DUMP	14:30:53	820 STAGECOACH RD	Cad Documentation Only
07/16/2021	2107160035	VEHI	08:19:37	999 SCENIC DR	Unoccupied
07/16/2021	2107160050	VEHI	09:40:04	EDWARDS ST/HECTOR ST	Unoccupied
07/16/2021	2107160053	PED	09:51:21	MAIN ST/PATRICKS POINT D	Field Interview
07/16/2021	2107160056	FP	09:58:12	400 JANIS CT	Cad Documentation Only
07/16/2021	2107160057	PED	10:01:01	MAIN ST	Field Interview
07/16/2021	2107160084	VEHI	14:44:37	MAIN ST/STAGECOACH RD	Public Assist
07/16/2021	2107160090	WELF	15:18:09	94 STUMPTOWN RD	Cad Documentation Only
07/16/2021	2107160104	VEHI	16:47:09	SCENIC DR	Field Interview
07/17/2021	2107170080	PC	12:20:18	122 MOON STONE BEACH RD	No Report
07/17/2021	2107170109	VEHI	15:19:25	SCENIC DR	Field Interview
07/17/2021	2107170112	HAILED	15:49:59	MAIN ST/STAGECOACH RD	Field Interview
07/17/2021	2107170128	SUSPC	17:16:14	199 N WESTHAVEN DR	Gone On Arrival
07/17/2021	2107170129	487	17:22:45	27 SCENIC DR	Public Assist
07/18/2021	2107180056	594	12:27:41	MAIN ST/PATRICKS POINT D	Report Taken
07/18/2021	2107180078	THREAT	15:54:58	122 MOONSTONE BEACH RD	Pending Recontact From Rp
07/19/2021	2107190065	PROPF	09:54:06	SCENIC DR	Report Taken
07/19/2021	2107190109	XFER	13:37:10	1 SHADOW LN	Xfer to Medical
07/19/2021	2107190168	415	18:26:27	389 MAIN ST	Cad Documentation Only
07/19/2021	2107190180	XFER	19:27:21	27 SCENIC DR	Xfer to Medical
07/19/2021	2107190207	SUSPV	22:44:55	531 MAIN ST	Unoccupied
07/20/2021	2107200020	INC	07:27:25	6TH AVE/S WESTHAVEN DR	Accidental Dial
07/20/2021	2107200041	911M	10:06:28	.TRINIDAD	Accidental Dial
07/20/2021	2107200047	PC	10:50:37	510 BIG LAGOON PARK RD	No Report



HUMBOLDT COUNTY SHERIFF'S OFFICE

Page 2

Incident Search Results

City is trinidad or trin, Date Between 7/12/2021 and 8/15/2021

08/17/2021

Date	Inc #	Type	Time	Location	Dispositio
07/20/2021	2107200051	911M	11:08:31	333 QUARRY RD	Accidental Dial
07/20/2021	2107200075	CWS	13:11:31	/BIG LAGOON	Report Taken
07/20/2021	2107200092	ONLINE	14:40:25	LUFFENHOLTZ RD	Online Report
07/20/2021	2107200096	ONLINE	15:07:30	.BAKER BEACH	Online Report
07/20/2021	2107200157	FWKS	22:32:22	122 MOONSTONE BEACH RD	Public Assist
07/21/2021	2107210025	XFER	06:42:36	PATRICKS POINT DR/US HWY	Xfer to CHP
07/21/2021	2107210047	488	09:32:12	2265 PATRICKS POINT DR	Online Report
07/21/2021	2107210050	594	09:41:46	1639 SCENIC DR	Online Report
07/21/2021	2107210065	415MW	10:44:41	201 MAIN ST	Verbal Domestic Violence Onl
07/21/2021	2107210072	VEHI	11:18:46	FRONTAGE RD	Field Interview
07/21/2021	2107210074	MP	11:24:44	850 S WESTHAVEN DR	Report Taken
07/21/2021	2107210075	PROPL	11:28:21	510 BIG LAGOON PARK RD	Public Assist
07/21/2021	2107210111	FRAUD	14:01:49	274 LYNDA LN	Report Taken
07/21/2021	2107210122	FU	14:51:23	850 S WESTHAVEN DR	Negative Contact Made
07/21/2021	2107210124	XFER	14:52:59	1 SCENIC DR	Xfer to Medical
07/21/2021	2107210132	APS	15:28:13	1212 8TH AVE	Report Taken
07/21/2021	2107210135	459V	16:00:51	1 BAKER RANCH RD	Online Report
07/21/2021	2107210150	REPO	17:21:09	27 SCENIC DR	Cad Documentation Only
07/21/2021	2107210188	211	22:44:38	27 SCENIC DR	Not as Reported
07/22/2021	2107220082	VEHI	12:25:33	SCENIC DR/CHER-AE LN	Field Interview
07/22/2021	2107220098	CAMP	15:11:23	389 MAIN ST	Public Assist
07/22/2021	2107220099	TA	15:23:33	BIG LAGOON PARK RD	Cancel Per Rp
07/22/2021	2107220163	594	22:52:31	27 SCENIC DR	Report Taken
07/23/2021	2107230008	SUSPP	01:53:05	SCENIC DR	Public Assist
07/23/2021	2107230086	UNW	13:04:34	27 SCENIC DR	Advised to Move Along
07/23/2021	2107230089	PC	13:10:09	389 MAIN ST	Gone On Arrival
07/23/2021	2107230121	ONLINE	15:25:48	LUFFENHOLTZ RD	Cad Documentation Only
07/23/2021	2107230143	PC	17:06:54	N/A LUFFENHOLTZ BEACH	Cad Documentation Only
07/23/2021	2107230157	XFER	18:27:15	STATE HWY 101/MM103	Xfer to CHP
07/23/2021	2107230170	MD	20:14:06	EWING/LIGHTHOUSE	Agency Assist
07/24/2021	2107240040	CAMP	09:46:21	999 SCENIC DR	Advised to Move Along
07/24/2021	2107240045	VEHI	10:20:10	PA-PAH LN	Field Interview
07/24/2021	2107240134	XFER	19:15:52	27 SCENIC DR	Xfer to Medical
07/24/2021	2107240151	FWKS	21:30:23	1001 N WESTHAVEN DR	Quiet on Arrival or Departur
07/24/2021	2107240169	33X	23:15:46	201 MAIN ST	Billable Alarm
07/25/2021	2107250009	459R	00:58:26	3415 PATRICKS POINT DR	Report Taken
07/25/2021	2107250022	10851	06:40:38	3443 PATRICKS POINT DR	Report Taken
07/25/2021	2107250032	10851R	07:41:56	999 SCENIC DR	Merged Cfs
07/25/2021	2107250050	FU	10:22:59	201 MAIN ST	Scheduled Incident Created
07/25/2021	2107250051	WELF	10:30:25	199 N WESTHAVEN DR	Cad Documentation Only
07/25/2021	2107250052	TPAT	10:40:46	SCENIC DR	Scheduled Incident Created
07/25/2021	2107250058	VEHI	11:26:05	1 BAKER RANCH RD	Field Interview
07/25/2021	2107250081	CAMP	13:53:22	999 SCENIC DR	Cad Documentation Only
07/25/2021	2107250094	FU	15:48:25	3443 PATRICKS POINT DR	Cad Documentation Only



HUMBOLDT COUNTY SHERIFF'S OFFICE

Page 3

Incident Search Results

City is trinidad or trin, Date Between 7/12/2021 and 8/15/2021

08/17/2021

Date	Inc #	Type	Time	Location	Dispositio
07/26/2021	2107260001	TPAT	00:00:29	(UNKNOWN ADDRESS) <i>SCENIC n</i>	No Report
07/26/2021	2107260029	FU	08:00:37	201 MAIN ST	Pending Recontact From Rp
07/26/2021	2107260040	CIVS	09:05:09	854 9TH AVE	Negative Service
07/26/2021	2107260048	459V	09:30:59	1720 SCENIC DR	Online Report
07/26/2021	2107260122	WELF	14:07:39	.SAUNDERS PARK <i>JANES St</i>	No Report
07/26/2021	2107260130	CAMP	14:28:53	999 SCENIC DR	Advised to Move Along
07/26/2021	2107260156	SUSPC	16:23:30	648 PATRICKS POINT DR	Cad Documentation Only
07/26/2021	2107260165	ASSISTA	16:57:26	3883 PATRICKS POINT DR	Agency Assist
07/26/2021	2107260168	ANIMAL	17:40:18	868 8TH AVE	Scheduled Incident Created
07/26/2021	2107260194	911M	21:02:08	79 N WESTHAVEN DR	Pending Recontact From Rp
07/26/2021	2107260204	INFO	22:47:29	999 SCENIC DR	Briefing Information
07/26/2021	2107260206	ASSISTP	22:54:14	839 STAGECOACH RD	Cad Documentation Only
07/27/2021	2107270009	TPAT	01:00:07	SCENIC DR/PATRICKS POINT	Cad Documentation Only
07/27/2021	2107270033	ANIMAL	08:00:13	868 8TH AVE	Report Taken
07/27/2021	2107270053	PC	10:11:41	510 BIG LAGOON PARK RD	Cited
07/27/2021	2107270088	ASSISTP	12:47:10	306 VIEW AVE	Public Assist
07/27/2021	2107270105	911C	14:02:11	.TRINIDAD HEAD	Pending Recontact From Rp
07/27/2021	2107270159	WELF	20:49:23	MOONSTONE BEACH RD	Cad Documentation Only
07/27/2021	2107270172	PC	22:28:27	584 PACIFIC CT	Unable to Locate
07/27/2021	2107270176	VEHI	22:56:15	389 MAIN ST	Field Interview
07/27/2021	2107270178	VEHI	23:06:03	N/A <i>LUFFENHOLTZ</i>	Advised to Move Along
07/27/2021	2107270179	VEHI	23:16:52	999 SCENIC DR	Field Interview
07/28/2021	2107280001	TPAT	00:00:52	SCENIC DR/PATRICKS POINT	Quiet on Arrival or Departur
07/28/2021	2107280038	RO	08:51:14	201 MAIN ST	Negative Contact Made
07/28/2021	2107280084	ASSISTP	12:57:24	3883 PATRICKS POINT DR	No Report
07/28/2021	2107280094	DISP	13:26:00	3883 PATRICKS POINT DR	Duplicate Call
07/28/2021	2107280114	ASSISTP	14:50:35	TRINITY ST/MAIN ST	Public Assist
07/28/2021	2107280116	DISP	15:07:59	(UNKNOWN ADDRESS)	Pending Recontact From Rp
07/28/2021	2107280126	DISP	15:53:45	LUFFENHOLTZ RD	Online Report
07/28/2021	2107280143	DISP	18:17:22	N WESTHAVEN DR	Cad Documentation Only
07/28/2021	2107280164	245	21:19:43	27 SCENIC DR	Agency Assist
07/29/2021	2107290006	TPAT	01:00:37	SCENIC DR/PATRICKS POINT	Quiet on Arrival or Departur
07/29/2021	2107290041	488	08:12:04	27 SCENIC DR	Cad Documentation Only
07/29/2021	2107290055	CAMP	09:51:04	389 MAIN ST	Public Assist
07/29/2021	2107290073	TEST	10:59:52	27 SCENIC DR	Test
07/29/2021	2107290093	PED	12:08:48	PATRICKS POINT DR	Field Interview
07/29/2021	2107290097	FU	12:18:25	27 SCENIC DR	Supplemental Taken
07/29/2021	2107290124	FU	14:19:41	27 SCENIC DR	No Report
07/29/2021	2107290158	459V	16:36:07	N/A <i>LUFFENHOLTZ</i>	Report Taken
07/29/2021	2107290190	XFER	19:53:43	.TRINIDAD PARK AND RIDE	Xfer to CHP
07/29/2021	2107290191	ASSISTA	19:56:30	(UNKNOWN ADDRESS) <i>P & R</i>	Agency Assist
07/29/2021	2107290196	HAILED	20:38:16	STAGECOACH RD	Public Assist
07/29/2021	2107290201	PC	20:55:52	122 MOON STONE BEACH RD	No Report
07/29/2021	2107290224	XFER	22:27:56	182 BAKER RANCH RD	Xfer to Medical

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

Page 4

Incident Search Results**City is trinidad or trin, Date Between 7/12/2021 and 8/15/2021**

08/17/2021

Date	Inc #	Type	Time	Location	Dispositio
07/30/2021	2107300001	TPAT	00:00:21	SCENIC DR/PATRICKS POINT	Cad Documentation Only
07/30/2021	2107300026	PC	08:33:48	BAY ST	Unable to Locate
07/30/2021	2107300047	459V	09:54:46	1639 SCENIC DR	Online Report
07/30/2021	2107300053	VEHI	10:05:27	MOONSTONE BEACH RD	Field Interview
07/30/2021	2107300071	10851	11:22:44	98 BERRY LN	Cad Documentation Only
07/30/2021	2107300098	459V	14:46:36	N/A <i>UNFEEHOLTS</i>	Arrest Made
07/30/2021	2107300138	PC	18:00:38	389 MAIN ST	Unable to Locate
07/31/2021	2107310010	TPAT	01:00:17	SCENIC DR/PATRICKS POINT	Cad Documentation Only
07/31/2021	2107310158	SHOTSH	22:04:37	665 SPRUCE AVE	Quiet on Arrival or Departur
07/31/2021	2107310162	PC	22:18:30	MOONSTONE BEACH RD	Cad Documentation Only
07/31/2021	2107310163	XFER	22:29:48	528 PACIFIC CT	Xfer to another agency
08/01/2021	2108010001	TPAT	00:00:57	SCENIC DR/PATRICKS POINT	Cad Documentation Only
08/01/2021	2108010023	WELF	06:54:27	27 SCENIC DR	Public Assist
08/01/2021	2108010041	ANIMAL	10:58:34	510 BIG LAGOON PARK RD	Warned
08/01/2021	2108010125	CIVIL	16:56:32	3633 PATRICKS POINT DR	Civil Problem
08/01/2021	2108010129	XFER	17:25:59	951 KINGDOM RD	Xfer to Medical
08/01/2021	2108010150	ASSISTA	20:13:38	27 SCENIC DR	Agency Assist
08/01/2021	2108010151	UNW	20:25:32	389 MAIN ST	Arrest Made
08/01/2021	2108010186	XFER	23:31:09	471 6TH AVE	Xfer to Fire
08/02/2021	2108020006	TPAT	01:00:49	SCENIC DR/PATRICKS POINT	Cad Documentation Only
08/02/2021	2108020096	FU	15:26:45	850 S WESTHAVEN DR	Supplemental Taken
08/02/2021	2108020125	911M	18:11:46	1 LIGHTHOUSE RD	Pending Recontact From Rp
08/03/2021	2108030001	TPAT	00:00:55	SCENIC DR/PATRICKS POINT	Cad Documentation Only
08/03/2021	2108030042	FU	08:40:29	20 MCCONNAHAS RD	Public Assist
08/03/2021	2108030168	XFER	19:10:36	PATRICKS POINT DR/US HWY	Xfer to CHP
08/03/2021	2108030193	XFER	22:54:53	27 SCENIC DR	Xfer to Medical
08/04/2021	2108040004	TPAT	01:00:39	SCENIC DR/PATRICKS POINT	Cad Documentation Only
08/04/2021	2108040081	PROPL	11:23:47	3452 PATRICKS POINT DR	Cad Documentation Only
08/04/2021	2108040107	DUMP	13:18:38	SCENIC DR	Supplemental Taken
08/04/2021	2108040148	415	17:25:35	749 3RD AVE	Gone On Arrival
08/04/2021	2108040150	INFO	17:36:57	3RD AVE	Cad Documentation Only
08/04/2021	2108040155	XFER	17:52:13	US HWY 101 ON RAMP/US HW	Xfer to CHP
08/05/2021	2108050036	BOAT	09:25:45	(UNKNOWN ADDRESS) <i>1425 5th St</i>	Cad Documentation Only
08/05/2021	2108050053	VEHI	11:18:53	.TRINIDAD STATE BEACH	Unoccupied
08/05/2021	2108050056	PED	11:25:43	MAIN ST	Field Interview
08/05/2021	2108050098	WETIP	13:55:27	27 SCENIC DR	Supplemental Taken
08/05/2021	2108050111	FU	14:50:20	201 MAIN ST	No Report
08/05/2021	2108050120	PC	15:54:10	510 BIG LAGOON PARK RD	Cad Documentation Only
08/05/2021	2108050138	415	17:36:26	201 MAIN ST	Unable to Locate
08/05/2021	2108050184	415	22:54:00	822 N WESTHAVEN DR	Not as Reported
08/06/2021	2108060009	INC	01:30:53	27 SCENIC DR	Phone Malfunction
08/06/2021	2108060080	WELF	12:16:51	987 BAUDER LN	Unable to Locate
08/06/2021	2108060105	WELF	14:25:39	12 TEH-PAH	No Report
08/06/2021	2108060133	PC	16:16:31	510 BIG LAGOON PARK RD	Cad Documentation Only



HUMBOLDT COUNTY SHERIFF'S OFFICE

Page 5

Incident Search Results

City is trinidad or trin, Date Between 7/12/2021 and 8/15/2021

08/17/2021

Date	Inc #	Type	Time	Location	Dispositio
08/06/2021	2108060141	SUSPP	17:02:50	102 KAY-WIN LN	Field Interview
08/06/2021	2108060168	DEATHN	19:54:34	585 STAGECOACH RD	Cad Documentation Only
08/07/2021	2108070018	33X	03:21:22	269 BIG LAGOON PARK RD	Billable Alarm
08/07/2021	2108070047	XFER	10:56:36	US HWY 101 ON RAMP	Xfer to CHP
08/07/2021	2108070055	DEATHN	11:27:39	585 STAGECOACH RD	Cad Documentation Only
08/07/2021	2108070060	XFER	11:59:21	US HWY 101 ON RAMP	Xfer to CHP
08/07/2021	2108070075	ANIMAL	13:20:43	1 BAY ST	Unable to Locate
08/07/2021	2108070131	SHOTSH	21:15:44	875 PATRICKS POINT DR	Non-Essential Response
08/08/2021	2108080047	911M	10:08:29	US HWY 101 ON RAMP	Accidental Dial
08/08/2021	2108080099	XFER	18:11:45	HIGHWAY 101 OFF RAMP/WES	Xfer to CHP
08/08/2021	2108080102	BOLO	18:14:34	US HWY 101 OFF RAMP	Unable to Locate
08/08/2021	2108080104	BITE	18:26:37	607 PARKER ST	Report Taken
08/09/2021	2108090041	ANIMAL	09:13:21	1053 8TH AVE	Warned
08/09/2021	2108090043	CAMP	09:24:45	(UNKNOWN ADDRESS)	Gone On Arrival
08/09/2021	2108090121	ASSISTA	14:14:11	US HWY 101 OFF RAMP	Public Assist
08/10/2021	2108100010	FP	02:17:10	122 MOONSTONE BEACH RD	Cad Documentation Only
08/10/2021	2108100106	ASSISTP	13:46:27	3883 PATRICKS POINT DR	Pending Recontact From Rp
08/10/2021	2108100119	UNW	14:24:45	102 KAY-WIN LN	Public Assist
08/10/2021	2108100130	911C	15:27:10	(UNKNOWN ADDRESS)	Referred To Other Agency
08/10/2021	2108100131	911C	15:30:31	(UNKNOWN ADDRESS)	Referred To Other Agency
08/10/2021	2108100183	FP	21:09:58	122 MOONSTONE BEACH RD	No Report
08/11/2021	2108110002	SUSPC	00:10:43	201 MAIN ST	Quiet on Arrival or Departur
08/11/2021	2108110008	VEHI	00:38:46	122 MOONSTONE BEACH RD	Field Interview
08/11/2021	2108110100	417	12:51:21	199 N WESTHAVEN DR	No Report
08/11/2021	2108110132	647F	14:40:36	389 MAIN ST	Arrest Made
08/11/2021	2108110149	XFER	15:42:54	HIGHWAY 101 OFF RAMP	Xfer to CHP
08/11/2021	2108110181	THREAT	18:57:01	103 STUMPTOWN RD	Public Assist
08/11/2021	2108110191	XFER	19:54:00	HIGHWAY 101 OFF RAMP/PAT	Xfer to CHP
08/11/2021	2108110197	459V	20:46:00	N/A <i>LUFFEN KOLTZ</i>	Report Taken
08/11/2021	2108110217	XFER	22:59:57	80 SEADRIFT LN	Xfer to Medical
08/12/2021	2108120013	PC	01:53:29	122 MOONSTONE BEACH RD	Cad Documentation Only
08/12/2021	2108120025	PC	03:29:27	866 6TH AVE	Gone On Arrival
08/12/2021	2108120028	PROWL	04:11:08	866 6TH AVE	Unable to Locate
08/12/2021	2108120096	911C	11:29:41	333 QUARRY RD	Pending Recontact From Rp
08/12/2021	2108120121	XFER	13:29:03	3443 PATRICKS POINT DR	Xfer to Medical
08/12/2021	2108120137	459V	14:27:47	1639 SCENIC DR	Online Report
08/12/2021	2108120163	VEHI	15:46:54	950 SCENIC DR	Field Interview
08/12/2021	2108120187	XFER	19:13:21	PATRICKS POINT STATE PAR	Xfer to Medical
08/12/2021	2108120208	THREAT	21:56:25	409 TRINITY ST	Cad Documentation Only
08/12/2021	2108120221	XFER	22:44:39	BIG LAGOON PARK RD/STATE	Xfer to CHP
08/13/2021	2108130030	VEHI	08:19:29	122 MOONSTONE BEACH RD	No Report
08/13/2021	2108130095	NPROB	12:59:24	839 STAGECOACH RD	Civil Problem
08/13/2021	2108130124	TRF	14:35:14	(UNKNOWN ADDRESS) <i>city hall</i>	Warned
08/13/2021	2108130150	44	16:44:37	930 SCENIC DR	Report Taken

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

Page 6

Incident Search Results**City is trinidad or trin, Date Between 7/12/2021 and 8/15/2021**

08/17/2021

Date	Inc #	Type	Time	Location	Dispositio
08/13/2021	2108130196	FU	22:42:06	930 SCENIC DR	Report Taken
08/14/2021	2108140025	SUSPC	04:08:49	201 MAIN ST	Report Taken
08/14/2021	2108140091	PC	14:41:59	850 S WESTHAVEN DR	No Report
08/14/2021	2108140105	XFER	17:07:18	.TRINIDAD HEAD	Referred To Other Agency
08/14/2021	2108140110	911C	17:51:14	PATRICKS POINT DR	Pending Recontact From Rp
08/14/2021	2108140118	FU	18:20:26	201 MAIN ST	Report Taken
08/14/2021	2108140121	WELF	18:37:24	KAY AVE/6TH AVE	Report Taken
08/15/2021	2108150065	459V	13:40:11	N/A <i>LUFFENHOLTZ</i>	Report Taken
08/15/2021	2108150107	XFER	20:14:45	122 MOONSTONE BEACH RD	Xfer to another agency

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

Page 1

Incident Search Results

City is trinidad or trin, Date Between 8/16/2021 and 8/22/2021

08/23/2021

Date	Inc #	Type	Time	Location	Dispositio
08/16/2021	2108160017	VEHI	02:57:50	999 SCENIC DR	Cited
08/16/2021	2108160018	VEHI	03:03:01	SCENIC DR/KIDDER RD	Cited
08/16/2021	2108160019	TRF	03:03:40	SCENIC DR/MOONSTONE BEAC	Cited
08/16/2021	2108160034	TRF	07:13:05	US 101/PATRICK POINT EXI	Warned
08/16/2021	2108160041	FU	08:08:51	201 MAIN ST	Cad Documentation Only
08/16/2021	2108160095	XFER	12:45:09	PATRICKS POINT DR	Xfer to CHP
08/16/2021	2108160142	UNW	15:58:03	930 SCENIC DR	Advised to Move Along
08/16/2021	2108160154	488	16:39:27	660 PATRICKS POINT DR	Report Taken
08/16/2021	2108160162	PC	16:52:06	(UNKNOWN ADDRESS) scenic	Cad Documentation Only
08/16/2021	2108160217	33X	23:02:55	201 MAIN ST	Billable Alarm
08/16/2021	2108160218	VEHI	23:20:03	389 MAIN ST	Cad Documentation Only
08/17/2021	2108170051	44	10:23:00	1026 S WESTHAVEN DR	Report Taken
08/17/2021	2108170075	459V	11:58:05	(UNKNOWN ADDRESS) cancel per chp	Not as Reported
08/17/2021	2108170077	488	12:13:13	510 BIG LAGOON PARK RD	No Report
08/17/2021	2108170154	XFER	17:07:25	US HWY 101/MM100	Xfer to CHP
08/17/2021	2108170159	XFER	17:27:46	480 PATRICKS POINT DR	Xfer to CHP
08/17/2021	2108170160	XFER	17:29:57	665 SPRUCE AVE	Xfer to CHP
08/17/2021	2108170164	2735	18:00:13	SEAWOOD DR/HIGHWAY 101	OPending Recontact From Rp
08/17/2021	2108170174	BOLO	19:52:10	MAIN ST/STATE HWY 101 OF	Unable to Locate
08/17/2021	2108170189	415	21:24:43	753 PATRICKS POINT DR	No Report
08/17/2021	2108170190	DISP	21:26:02	753 PATRICKS POINT DR	Duplicate Call
08/18/2021	2108180008	XFER	01:03:56	253 STAGECOACH RD	Xfer to Fire
08/18/2021	2108180071	TPAT	12:07:42	463 TRINITY ST	Cad Documentation Only
08/18/2021	2108180119	594	15:36:49	1 STAGECOACH RD	Gone On Arrival
08/18/2021	2108180133	SUSPP	16:31:49	54 WESTHAVEN DR	Cad Documentation Only
08/18/2021	2108180174	459V	21:10:05	N/A LUFFENHOLTZ	Online Report
08/18/2021	2108180175	XFER	21:10:50	US HWY 101 ON RAMP/US HW	Xfer to CHP
08/18/2021	2108180187	ASSISTA	22:38:46	115336 US HWY 101 ON RAM	Cancel Per Rp
08/19/2021	2108190036	459V	08:46:06	/LUFFENHOLTZ BEACH PLOT	Online Report
08/19/2021	2108190047	VEHI	09:10:51	.TRINIDAD STATE BEACH	Unoccupied
08/19/2021	2108190050	VEHI	09:18:44	EDWARDS ST/OCEAN AVE	Unoccupied
08/19/2021	2108190052	VEHI	09:28:02	SCENIC DR	Unoccupied
08/19/2021	2108190088	VEHI	11:01:44	122 MOONSTONE BEACH RD	Field Interview
08/19/2021	2108190150	FU	15:05:43	27 SCENIC DR	Report Taken
08/19/2021	2108190158	PED	16:12:57	N/A LUFFENHOLTZ	Field Interview
08/19/2021	2108190203	INC	20:41:05	486 N WESTHAVEN DR	Cad Documentation Only
08/20/2021	2108200047	XFER	09:11:01	971 8TH AVE	Xfer to Medical
08/20/2021	2108200051	459V	09:24:08	1639 SCENIC DR	Online Report
08/20/2021	2108200083	VEHI	11:37:29	WA-RAY RD/SCENIC DR	Field Interview
08/20/2021	2108200087	XFER	11:51:04	702 PATRICKS POINT DR	Xfer to Fire
08/20/2021	2108200090	TRF	11:58:39	SCENIC DR/MOONSTONE BEAC	Warned
08/20/2021	2108200095	XFER	12:17:22	STAGECOACH RD	Xfer to Fire
08/20/2021	2108200096	XFER	12:18:13	HIGHWAY 101 OFF RAMP/PAT	Xfer to Fire
08/20/2021	2108200097	ASSISTA	12:18:39	702 PATICKS POINT DR	Agency Assist

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

Page 2

Incident Search Results**City is trinidad or trin, Date Between 8/16/2021 and 8/22/2021**

08/23/2021

Date	Inc #	Type	Time	Location	Dispositio
08/20/2021	2108200115	FU	14:04:26	425 5TH AVE	Negative Contact Made
08/20/2021	2108200136	ANIMAL	15:43:22	4TH AVE/SPRUCE AVE	Public Assist
08/20/2021	2108200162	BOLO	17:46:33	MAIN ST	Briefing Information
08/20/2021	2108200170	UNW	18:28:26	389 MAIN ST	Cancel Per Rp
08/20/2021	2108200176	FU	19:20:22	201 MAIN ST	Negative Contact Made
08/20/2021	2108200177	VEHI	19:30:34	EDWARDS ST/WAGNER ST	Unoccupied
08/21/2021	2108210063	911M	10:40:14	2ND AVE/TRANSIT AVE	Cad Documentation Only
08/21/2021	2108210065	WELF	10:45:31	271 LYNDA LN	No Report
08/21/2021	2108210077	PC	11:37:46	510 BIG LAGOON PARK RD	No Report
08/21/2021	2108210096	PC	13:07:29	PATRICKS POINT DR	Cad Documentation Only
08/21/2021	2108210097	911M	13:22:58	510 BIG LAGOON PARK RD	Accidental Dial
08/21/2021	2108210100	INV	13:46:18	822 N WESTHAVEN DR	Civil Problem
08/21/2021	2108210143	FU	18:40:20	201 MAIN ST	Cad Documentation Only
08/21/2021	2108210156	459V	20:24:17	1 BAKER RANCH RD	Report Taken
08/22/2021	2108220037	VEHI	03:59:09	1 BAKER RANCH RD	Marked For Abatement
08/22/2021	2108220038	VEHI	04:07:57	999 SCENIC DR	Parking Cite
08/22/2021	2108220039	VEHI	04:29:23	122 MOONSTONE BEACH RD	Parking Cite
08/22/2021	2108220041	XFER	05:38:35	WESTHAVEN DR/STATE HWY 1	Xfer to CHP
08/22/2021	2108220042	XFER	05:41:14	NB HWY 101/MM102	Xfer to CHP
08/22/2021	2108220137	SUI	18:52:54	.TRINIDAD BEACH	Arrest Made
08/22/2021	2108220143	CUST	20:07:36	930 SCENIC DR	Cad Documentation Only

**HUMBOLDT COUNTY SHERIFF'S OFFICE**

Page 1

Incident Search Results

City is trinidad or trin, Date Between 8/23/2021 and 8/29/2021

08/30/2021

Date	Inc #	Type	Time	Location	Dispositio
08/23/2021	2108230003	UNW	00:42:43	27 SCENIC DR	Advised to Move Along
08/23/2021	2108230007	UNW	01:46:28	27 SCENIC DR	Report Taken
08/23/2021	2108230029	ASSISTA	08:09:12	510 BIG LAGOON PARK RD	Cad Documentation Only
08/23/2021	2108230046	TRF	10:01:55	SCENIC DR/LUFFENHOLTZ RD	Warned
08/23/2021	2108230082	TOW	13:19:20	S WESTHAVEN DR	Cad Documentation Only
08/23/2021	2108230134	459R	19:15:46	795 UNDERWOOD DR	Report Taken
08/23/2021	2108230147	XPAT	20:25:13	795 UNDERWOOD DR	Scheduled Incident Created
08/23/2021	2108230148	XPAT	20:35:13	795 UNDERWOOD DR	Scheduled Incident Created
08/24/2021	2108240003	33X	00:42:00	389 MAIN ST	Billable Alarm
08/24/2021	2108240034	UNW	09:53:22	389 MAIN ST	Cancel Per Rp
08/24/2021	2108240062	XFER	11:32:39	893 S WESTHAVEN DR	Xfer to Medical
08/24/2021	2108240164	FWKS	21:46:45	122 MOONSTONE BEACH RD	Cad Documentation Only
08/24/2021	2108240165	FWKS	21:49:34	122 MOONSTONE BEACH RD	Merged Cfs
08/25/2021	2108250009	XPAT	02:00:05	795 UNDERWOOD DR	Cad Documentation Only
08/25/2021	2108250010	XPAT	02:00:05	795 UNDERWOOD DR	No Report
08/25/2021	2108250013	VEHI	02:30:32	389 MAIN ST	Unoccupied
08/25/2021	2108250034	10851	08:10:16	906 KAY AVE	Referred To Other Agency
08/25/2021	2108250092	911C	13:05:28	LITTLE RIVER DR	Pending Recontact From Rp
08/25/2021	2108250125	XFER	15:39:55	NB US HWY 101/ BIG LAGOO	Xfer to CHP
08/25/2021	2108250129	CIVIL	16:09:24	839 STAGECOACH RD	Public Assist
08/25/2021	2108250179	PC	21:57:34	724 REDWOOD AVE	Xfer to CHP
08/26/2021	2108260001	DISP	00:14:40	724 REDWOOD AVE	Cad Documentation Only
08/26/2021	2108260052	WELF	09:53:46	69 N WESTHAVEN DR	Cad Documentation Only
08/26/2021	2108260078	PED	11:46:06	SCENIC DR	Field Interview
08/26/2021	2108260091	VEHI	12:09:11	SCENIC DR/LANFORD RD	Cited
08/26/2021	2108260107	PED	13:08:15	380 JANIS CT	Report Taken
08/26/2021	2108260158	415N	17:14:15	100 MOONSTONE BEACH RD	Cad Documentation Only
08/26/2021	2108260187	XFER	20:07:47	BIG LAGOON PARK RD/STATE	Xfer to CHP
08/26/2021	2108260205	PC	22:09:33	100 MOONSTONE BEACH RD	Cad Documentation Only
08/27/2021	2108270006	XPAT	02:00:27	795 UNDERWOOD DR	No Report
08/27/2021	2108270008	PED	02:32:58	389 MAIN ST	Field Interview
08/27/2021	2108270062	UNW	13:26:26	27 SCENIC DR	Advised to Move Along
08/27/2021	2108270063	ASSISTP	13:29:31	1948 PATRICKS POINT DR	Public Assist
08/27/2021	2108270070	ANIMAL	14:12:53	70 PATRICKS POINT DR	No Report
08/27/2021	2108270073	HAILED	14:17:06	878 PATRICKS POINT DR	Public Assist
08/27/2021	2108270097	415	16:07:46	923 PATRICKS POINT DR	Civil Problem
08/27/2021	2108270144	PC	22:23:13	122 MOONSTONE BEACH RD	Quiet on Arrival or Departur
08/27/2021	2108270146	INC	22:33:41	659 N WESTHAVEN DR	Quiet on Arrival or Departur
08/28/2021	2108280030	ANIMAL	06:50:40	510 BIG LAGOON PARK RD	Admonished
08/28/2021	2108280050	ANIMAL	09:44:14	864 PATRICKS POINT DR	Public Assist
08/28/2021	2108280061	VEHI	11:17:25	1300 PATRICKS POINT DR	Unoccupied
08/29/2021	2108290010	XPAT	02:00:55	795 UNDERWOOD DR	No Report
08/29/2021	2108290074	TRF	13:25:28	480 PATRICKS POINT DR	Report Taken
08/29/2021	2108290085	VEHI	15:04:10	FRONTAGE RD/LITTLE RIVER	Unoccupied



HUMBOLDT COUNTY SHERIFF'S OFFICE

Page 2

Incident Search Results

City is trinidad or trin, Date Between 8/23/2021 and 8/29/2021

08/30/2021

Date	Inc #	Type	Time	Location	Dispositio
08/29/2021	2108290086	AVA	15:17:27	254 N WESTHAVEN DR	Scheduled Incident Created



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

1. Presentation on Offshore Wind Energy Area – Bureau of Ocean Energy Management (BOEM) U.S. Dept. of the Interior.

AGENDA ITEM

Date: September 14, 2021

Item: Presentation on offshore Humboldt Wind Energy Area – Bureau of Ocean Energy Management (BOEM) - US Dept. of the Interior

Summary:

Presentation by the following:

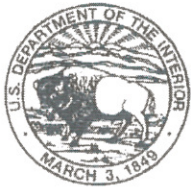
1. Lisa Gilbane (BOEM Pacific Region Environmental Analysis Section Chief)
2. Jean Thurston-Keller (Renewable Energy Specialist & California Task Force Coordinator)
3. Dave Ball (BOEM Pacific Region Historic Preservation Officer)

Links:

1. BOEM Northern California Area Identification Memo
[3799 CA Area ID Humboldt County Memo Final.pdf \(boem.gov\)](#)
2. Webpage re: Humboldt Wind Energy Area (WEA)
<https://www.boem.gov/HumboldtEA>

Attachment:

August 4, 2021 letter from David Ball, BOEM, US Department of the Interior



United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT

Pacific OCS Region
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010-6064

August 4, 2021

Eli Naffah, City Manager
City of Trinidad
P.O. Box 390
Trinidad, CA 95570

Dear Mr. Naffah,

On July 28, 2021, the Bureau of Ocean Energy Management (BOEM), issued a press release advancing the offshore wind leasing process in California and seeking public comment on offshore wind areas off California's northern and central coasts (Enclosure 1).

Included in the press release is the designation of the Humboldt Wind Energy Area (WEA) within federal waters of the Outer Continental Shelf (OCS) and located 21 miles offshore the city of Eureka, CA (Enclosure 2). BOEM will now begin conducting an Environmental Assessment (EA) of the Humboldt WEA, pursuant to National Environmental Policy Act (42 USC 4321, et seq., as amended), and is initiating review under Section 106 of the National Historic Preservation Act (NHPA) for the undertaking of issuing leases within the Humboldt WEA. Additional information regarding the Humboldt WEA can be found online at: <https://www.boem.gov/renewable-energy/state-activities/humboldt-wind-energy-area>.

Section 106 of the NHPA requires federal agencies to consider the effects of their undertakings on historic properties. Through previous consultation, BOEM executed a Programmatic Agreement (PA) that guides the bureau's Section 106 review of activities occurring under its renewable energy regulations on the OCS offshore California. The PA can be found online at: <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/CA-Sect-106-Programmatic-Agreement.pdf>. Per this agreement, BOEM is initiating Section 106 review for the undertaking of lease issuance within the Humboldt WEA. A commercial lease gives the lessee the exclusive right to subsequently seek BOEM approval for the development of the leasehold. The lease does not grant the lessee the right to construct any facilities; rather, the lease grants the lessee the right to use the leased area to develop its plans, which BOEM must approve before the lessee can move on to the next stage of the process. A separate project specific Section 106 review would take place in the future, should a lessee submit a plan. An overview of BOEM's renewable energy leasing process can be found online at: <https://www.boem.gov/sites/default/files/documents/about-boem/Wind-Energy-Comm-Leasing-Process-FS-01242017Text-052121Branding.pdf>.

As part of initiating its Section 106 review, BOEM is contacting representatives from tribal, federal, state, and local governments, historic preservation groups, and other organizations to determine their interest in participating as a consulting party for the undertaking of lease issuance. *BOEM requests that you send written notification within 30 days of receipt of this letter* if you are interested in participating as a consulting party in the Section 106 review for lease issuance within the Humboldt WEA. Email is acceptable and may be forwarded to my attention. If the City of Trinidad has information pertaining to historic properties that may be located within the WEA, the geographic extent of which is illustrated in Enclosure 2, BOEM invites you to bring this information to the agency's attention to be considered in the decision-making process. BOEM also invites comments regarding any other concerns the proposed undertaking may raise about historic preservation matters.

If you have any questions or require additional information, you may contact me at 805-384-6340 or David.Ball@boem.gov. Please send correspondence to the following address:

Bureau of Ocean Energy Management
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010

Thank you in advance for your timely response and cooperation.

Sincerely,

DAVID BALL

Digitally signed by DAVID
BALL
Date: 2021.08.06
07:04:39 -07'00'

Dave Ball

Pacific Region Historic Preservation Officer

Enclosures: 1. BOEM Offshore Wind Leasing Press Release
2. Humboldt WEA Area Map

[HOME](#) | [NEWSROOM](#)

BOEM Advances Offshore Wind Leasing Process in California

Public Input Sought on Offshore Wind Areas off California North and Central Coasts

07/28/2021 Camarillo, CA

Contact(s)
John Romero
(805) 384-6324

As part of the Biden-Harris administration's commitment to creating nearly 80,000 jobs through developing 30 gigawatts of offshore wind energy by 2030, the Department of the Interior's Bureau of Ocean Energy Management (BOEM) today announced two actions advancing the federal wind leasing process offshore California.

First, BOEM will publish a Call for Information and Nominations (Call) to request information from the public and determine industry interest in commercial offshore wind energy development for two new areas within a 399-square-mile area located off central California, identified as the Morro Bay Call Area East and West Extensions. The new areas are adjacent to the Morro Bay Call Area, originally identified by BOEM in 2018. The extension areas will be included in BOEM's overall analysis of the Morro Bay 399 Area.

Second, BOEM has formally designated the Humboldt Wind Energy Area (WEA) offshore northern California and will now proceed with an environmental review of this area, as required under the National Environmental Policy Act (NEPA).

"Today's announcement builds on an earlier agreement between the White House, the Department of the Interior, the Department of Defense, and the state of California to advance areas for offshore wind off the northern and central coasts of California," said BOEM Director Amanda Lefton. "If approved for offshore wind energy development, these areas could bring us closer to reaching this administration's goal of deploying 30 gigawatts of offshore wind by 2030."

On May 25, 2021, the Departments of the Interior and Defense and the state of California announced their agreement to advance areas for wind energy development offshore the northern and central coasts of California, enabling a path forward for the Humboldt Call Area and areas within and adjacent to the Morro Bay Call Area.

"While we are still in the initial stages of BOEM's leasing process, today's announcement reflects years of working with ocean users, Tribal governments and local, state, and federal agencies to obtain the best available information to reduce potential conflicts," said BOEM Acting Pacific Region Director Thomas Liu. "The Morro Bay Call and Humboldt Environmental Assessment offer important opportunities to further solicit feedback from Tribes, ocean users and stakeholders."

In addition to contributing to the goals of the Biden-Harris administration, the development of offshore wind energy can help California reach its goal of 100 percent carbon-free energy by 2045, create good-paying union jobs, and foster investments in coastal communities. Offshore wind resources are typically stronger and more consistent than winds over land and are especially strong in the evening hours when solar energy production drops off, ensuring that offshore wind energy can make an important contribution to California's electric grid.

Morro Bay Call Area – East and West Extensions

The Morro Bay Call Area East Extension and the Morro Bay Call Area West Extension offshore the central California coast consist of approximately 141 square statute miles (90,025 acres).

BOEM will publish the Commercial Leasing for Wind Power Development on the Outer Continental Shelf Offshore Morro Bay, California, East and West Extensions – Call for Information and Nominations in the Federal Register on July 29, 2021, which will initiate a 45-day public comment period. BOEM will accept nominations and comments until September 13, 2021. Additional information on the Call and how to comment can be found at <https://www.boem.gov/renewable-energy/state-activities/morro-bay-call-extension-areas>.

Humboldt WEA

BOEM is also designating nearly 132,369 acres (206.8 square miles) as a WEA offshore Humboldt County in northern California. BOEM will conduct an environmental assessment (EA) of the WEA, per NEPA.

The EA will consider potential environmental consequences of site characterization activities (e.g., survey activities and core samples) and site assessment activities (e.g., installation of meteorological buoys) associated with issuing wind energy leases in the WEA. The EA will also consider project easements associated with each potential lease issued, and grants for subsea cable corridors through state tidelands.

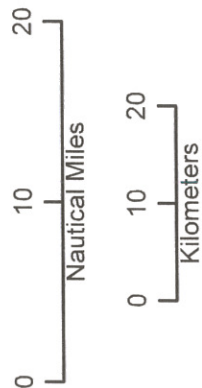
As part of BOEM's scoping process, BOEM is seeking public comments on what should be considered as part of the EA. BOEM also will use these comments as input for its consultation under section 106 of the National Historic Preservation Act. Additional information on how to comment can be found at <https://www.boem.gov/renewable-energy/state-activities/humboldt-wind-energy-area>.

-- BOEM --

The Department of the Interior's Bureau of Ocean Energy Management (BOEM) is responsible for America's offshore energy and mineral resources. The bureau promotes energy independence, environmental protection and economic development through responsible, science-based management of energy and mineral resources on the U.S. Outer Continental Shelf.

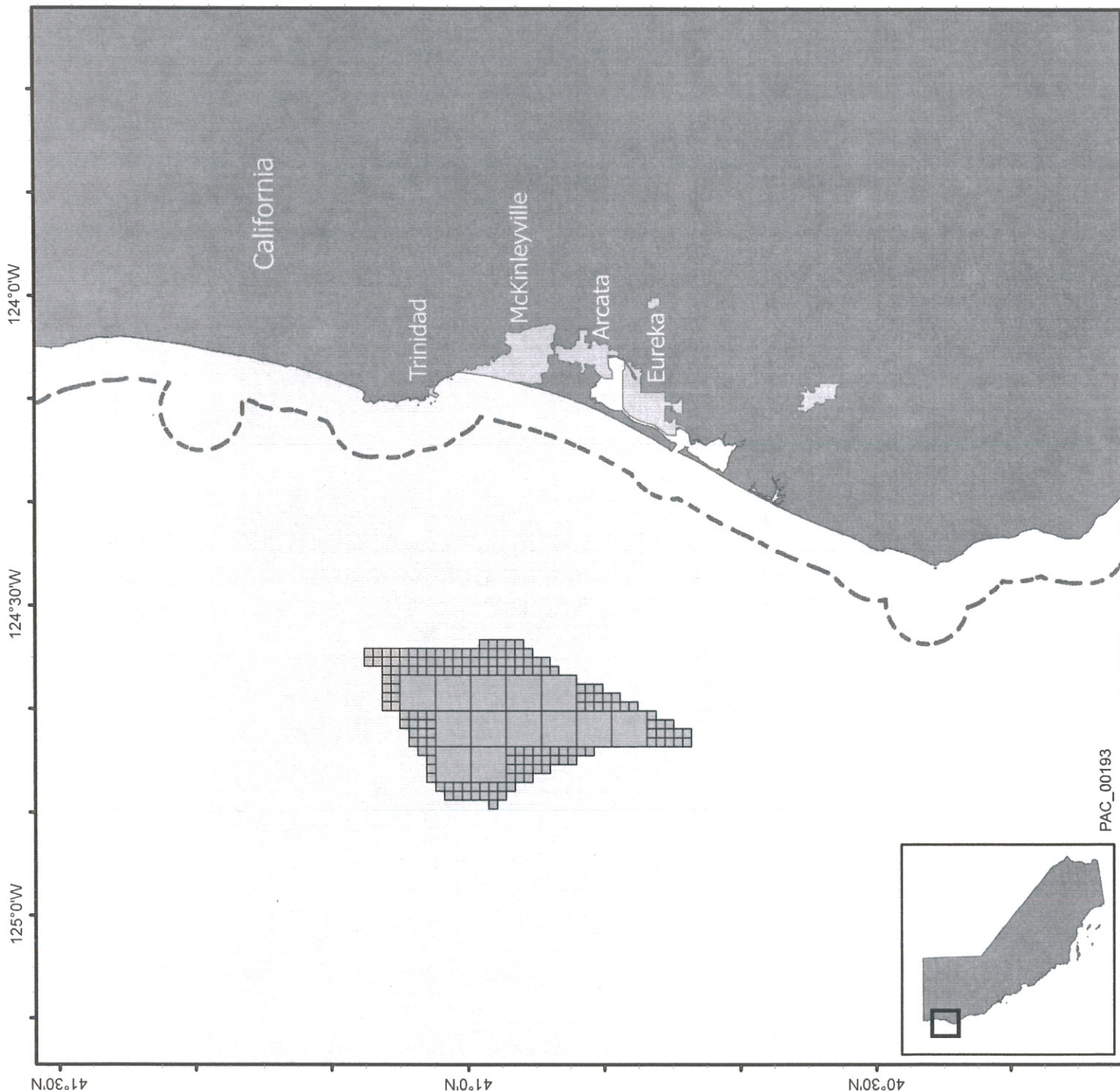
Humboldt Wind Energy Area

- Federal / State Boundary
- Humboldt Wind Energy Area



Map Date: 07/26/2021

BOEM
Bureau of Ocean Energy
Management





Outer Continental Shelf Offshore Wind Leasing in California

Trinidad City Council
September 14, 2021



Overview

- Offshore Wind Energy Overview
- Approach for Offshore Wind Energy Planning in California
- BOEM Offshore Wind Energy Authorization Process
- California Call Areas
- Next Steps



[This Photo](#) by Unknown Author is licensed under [CC BY-ND](#)

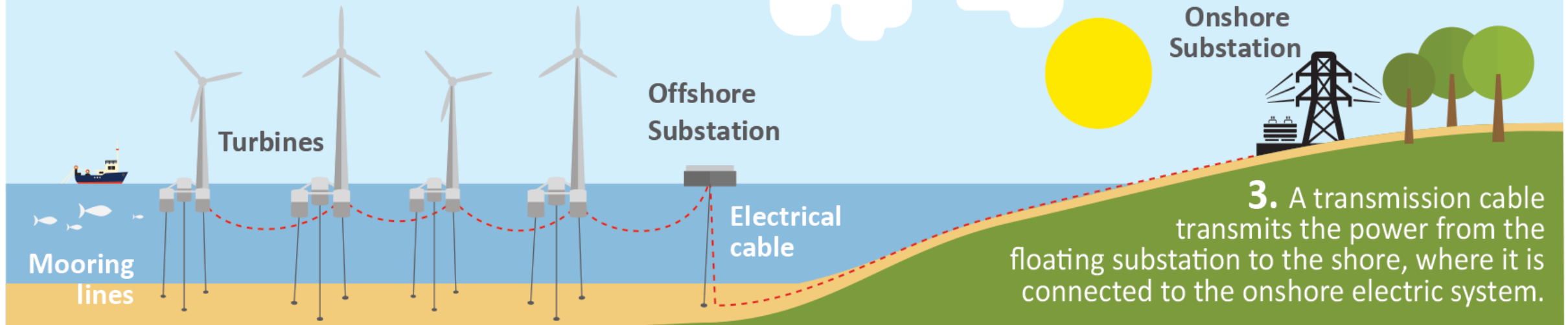


Offshore Wind Energy Overview

How Offshore Floating Wind Farms Work

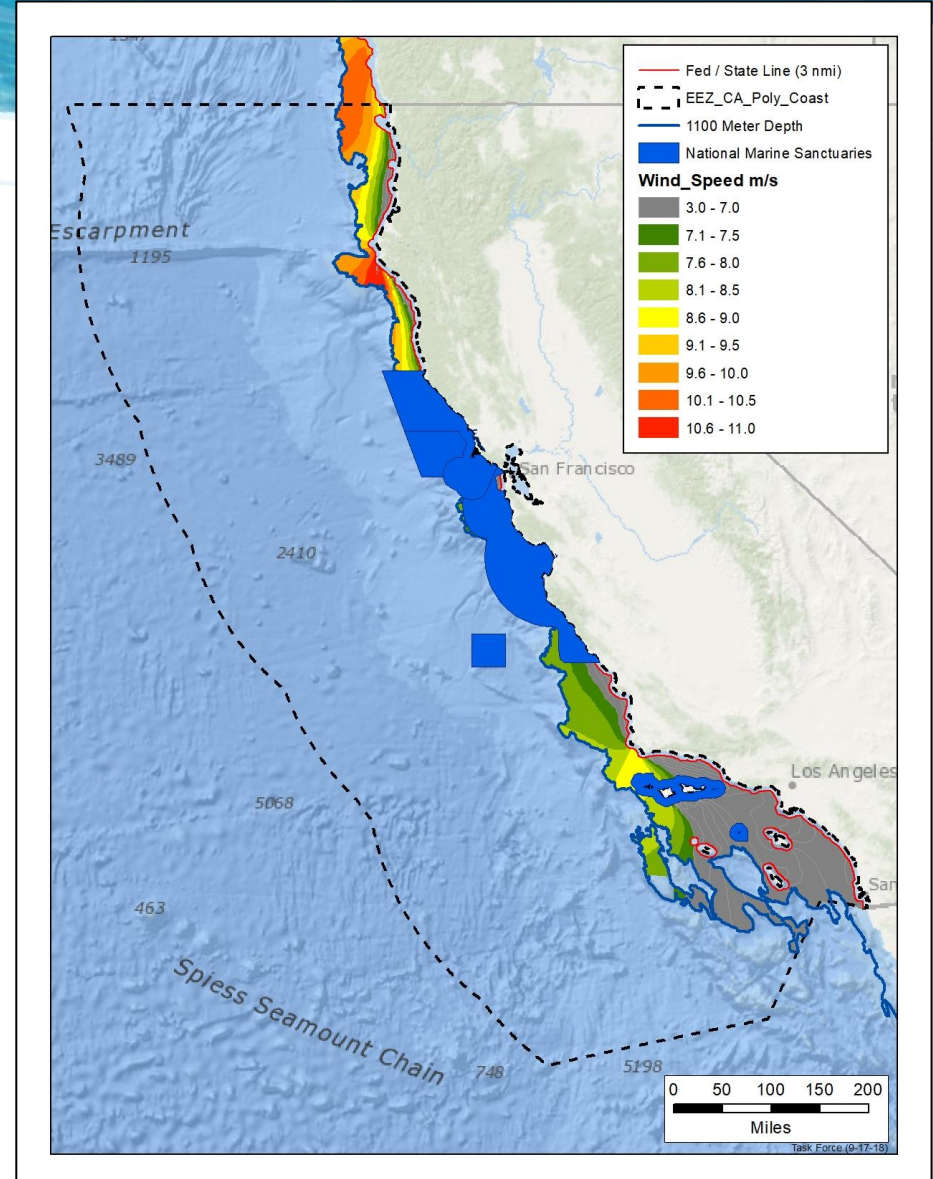
1. Floating wind turbines are configured in an array to optimize the capture of wind energy.

2. Energy captured by the turbines is conveyed through a transmission line to a floating substation.



Approach for Offshore Wind Energy Planning in California

- Where is the wind resource?
- In what water depths can the turbines be installed with available technology?
- Does BOEM have authority?
- Where are interconnection locations to the electrical grid?



Offshore Wind Energy Planning Approach in California

- Established the BOEM California Intergovernmental Renewable Energy Task Force in 2016 with request by Governor Brown
- Conducted outreach and engagement with stakeholders based on joint outreach plan with California agencies
- Created Offshore Wind Energy Gateway for data collection in 2017, publicly accessible website: www.caoffshorewind.databasin.org
- Published Call for Information and Nominations in the Federal Register in October 2018: 118 comments, 14 nominations
- Ongoing coordination, outreach and engagement with Tribal Governments, State of California, Federal agencies, State agencies and the public since 2017
- Outreach Summary Report (and updates) for California Offshore Wind Energy Planning available online at www.boem.gov/california



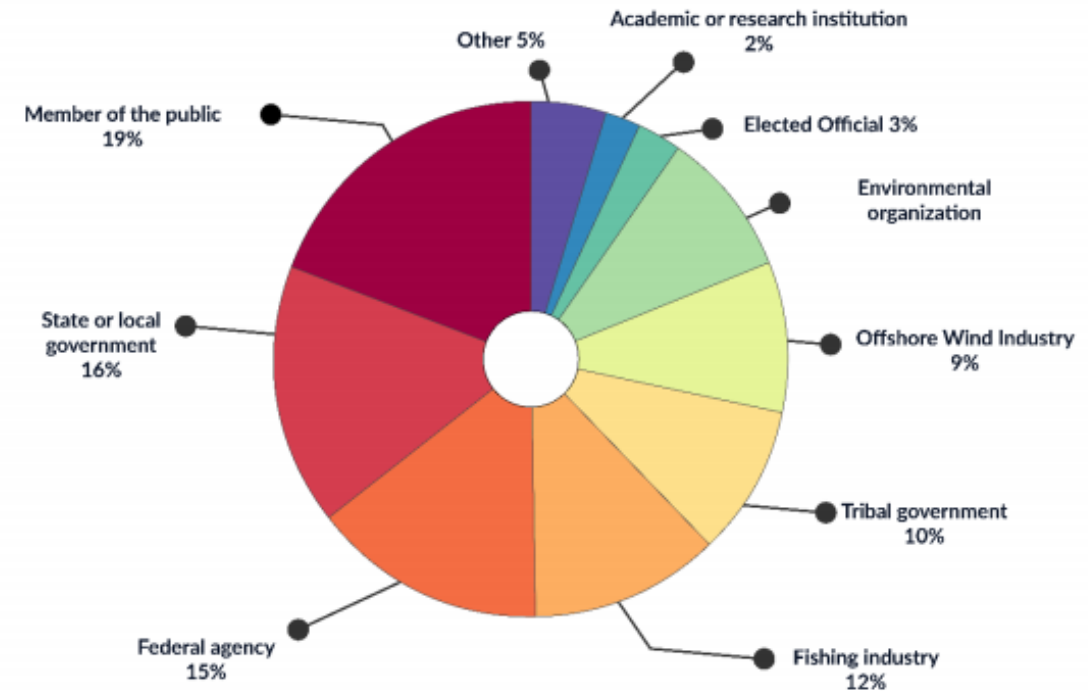
[This Photo](#) by Unknown Author is licensed under [CC BY-SA-NC](#)



Collecting and Providing Information

- Overview of key input from 2018-2021
 - Fishing concerns about potential impacts to current activities
 - Concerns about environmental, visual, and noise impacts from offshore wind development
 - Concerns with maritime vessel traffic patterns and navigation safety
 - Interest in potential economic impacts to ports from development
 - Recommendations for BOEM Auction format to consider local benefits or other local agreements
 - Military testing and training activity concerns
 - Update to Outreach Summary Report published June 2021

BOEM CA Offshore Wind Energy Planning Outreach
Participation: October 2018—December 2020



California Offshore Wind Energy Gateway

Web-Based Data Gateway

- Publish spatial datasets
- Create maps using geospatial data
- Converse in working groups with data and maps
- Available to the public

Assemble geospatial information on:

- Physical setting
- Energy resources
- Marine policy and management
- Ecological and natural resources
- commercial and recreational uses

Use data and information to:

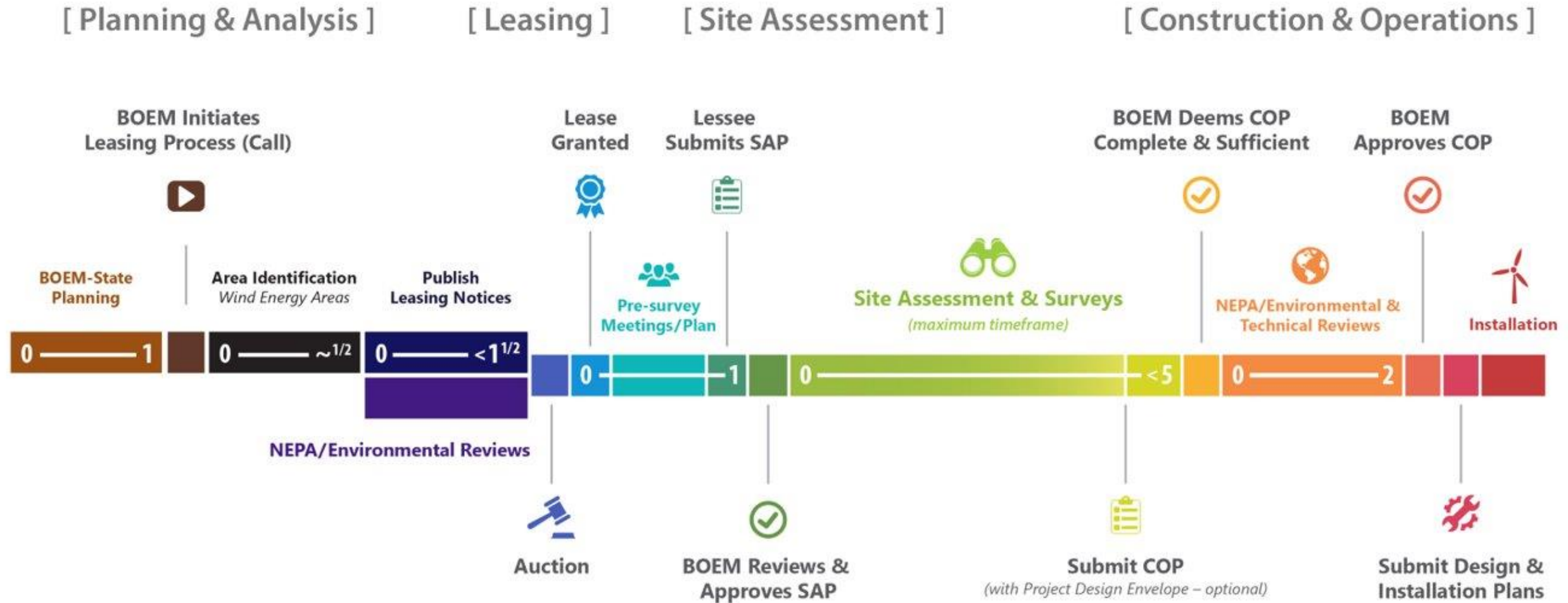
- Inform offshore wind energy leasing process

www.caoffshorewind.databasin.org

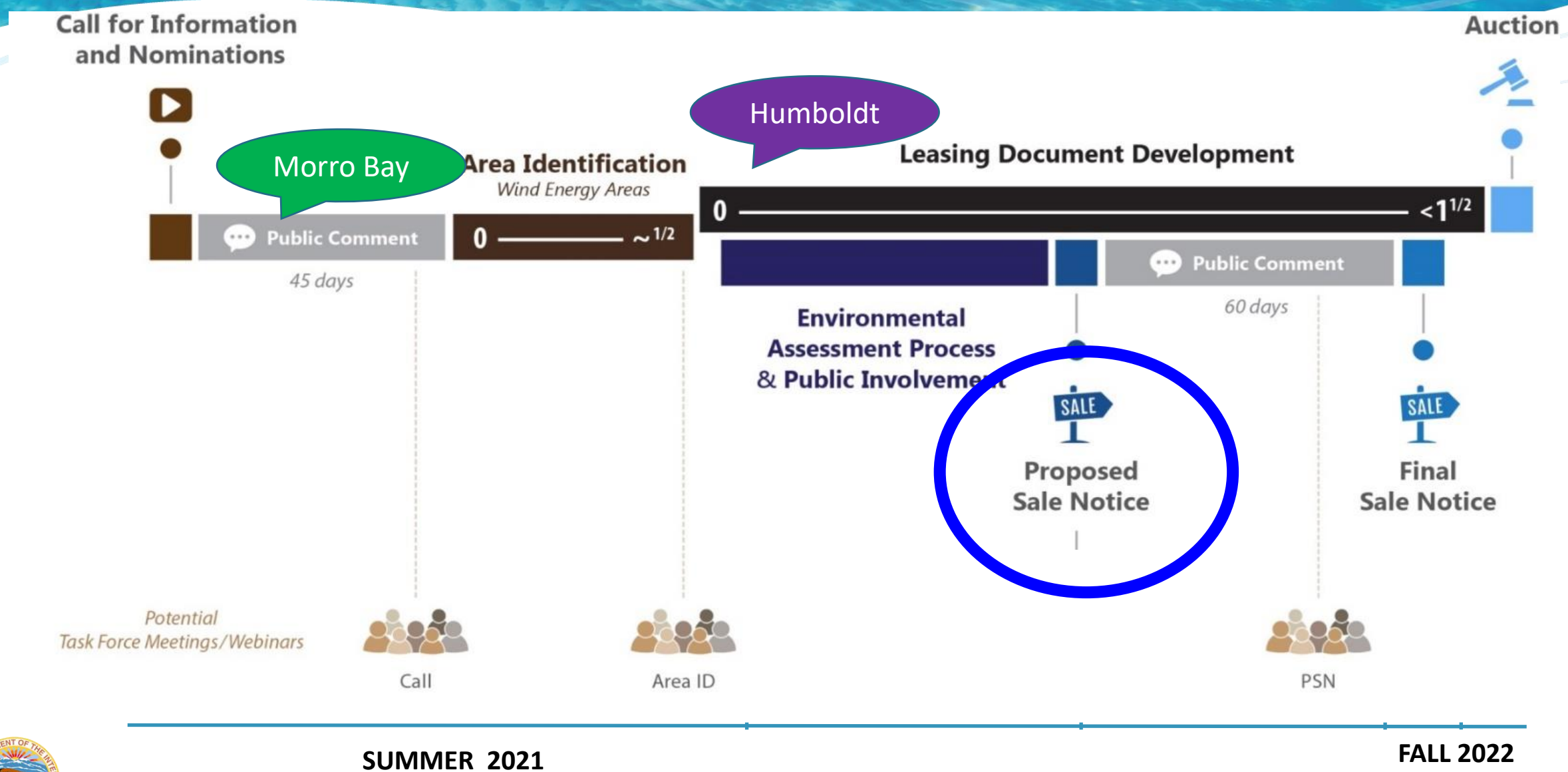
The screenshot displays the homepage of the California Offshore Wind Energy Gateway. At the top, the title "California Offshore Wind Energy Gateway" is shown, along with the subtitle "In support of the Intergovernmental Renewable Energy Task Force" and the logo "powered by DATA BASIN". A search bar is located in the top right corner. Below the header, there are five navigation tabs: "Get Started", "Explore", "Create", "Community", and "My Workspace". The main content area features a large introductory section on the left with links for "What is the California Offshore Wind Energy Gateway?", "What can I do?", and "How do I start exploring?". To the right of this is a descriptive paragraph about the gateway's purpose and a "read more" link. Below the introductory section, there are four thematic tiles: "California Marine & Coastal Energy", "California Marine & Coastal Management", "California Marine & Coastal Ecology and Natural Resources", and "California Marine & Coastal Community Values and Traditional Uses". Further down, a "Featured Items" section displays five dataset thumbnails: "Essential Fish Habitat", "Marine Protected Areas Inventory, March 2012", "NOAA California Ocean Uses Atlas - Non-consumptive (dominant areas)", "NOAA California Ocean Uses Atlas - Industrial (dominant areas)", and "NOAA California Ocean Uses Atlas - Fishing (dominant areas)". To the right of these is a large map titled "California Off-Shore Wind Resources" showing the coastline of California with various colored regions indicating wind resource potential. Below the map, a caption states: "This map is comprised of spatial datasets provided by BOEM to highlight wind resources along the coast of California along with some other designations." At the bottom of the page, there are two buttons: "Download the Fact Sheet & Get Involved" and "Follow Progress". The footer includes the BOEM (Bureau of Ocean Energy Management) logo, the California Energy Commission logo, and the California Department of the Interior logo.



BOEM's Renewable Energy Authorization Process:

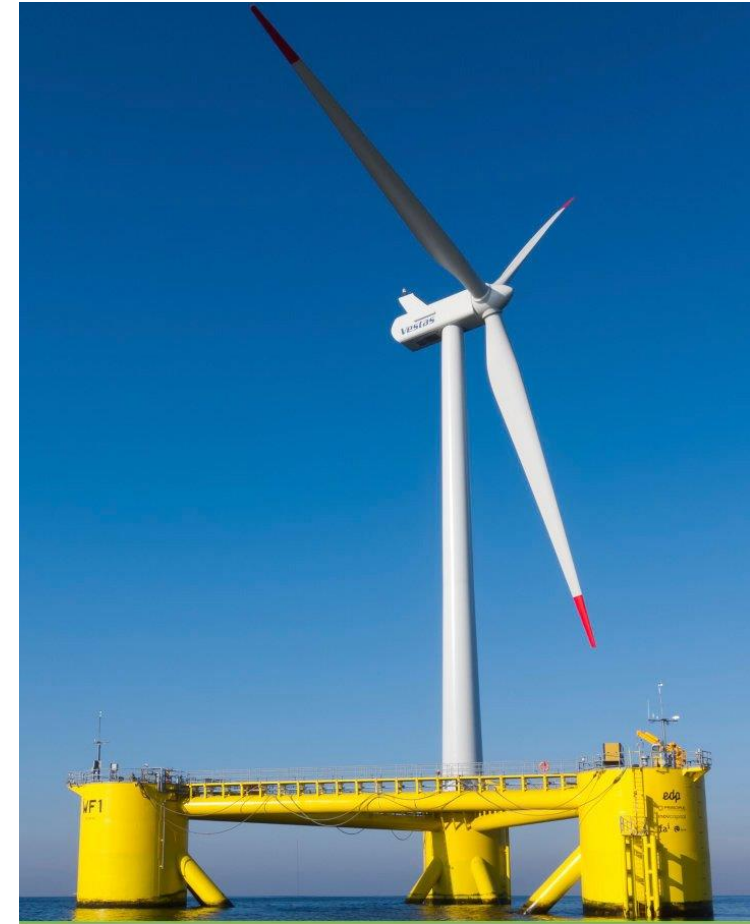


BOEM's Renewable Energy Authorization Process



Renewable Energy Process: Calls, Wind Energy Areas and Lease Areas

- **Call for Information and Nominations**
 - Calls for formal public comment about the area, uses and concerns
 - Requests nominations of interest for development
- **Wind Energy Area**
 - An area within a Call Area identified by BOEM for environmental review
 - Basis for a lease area(s)
- **Lease Area**
 - Areas BOEM would offer for lease during a Lease Sale



Aguçadoura WindFloat Prototype
October 2011 - 4KM Offshore of Aguçadoura, Portugal



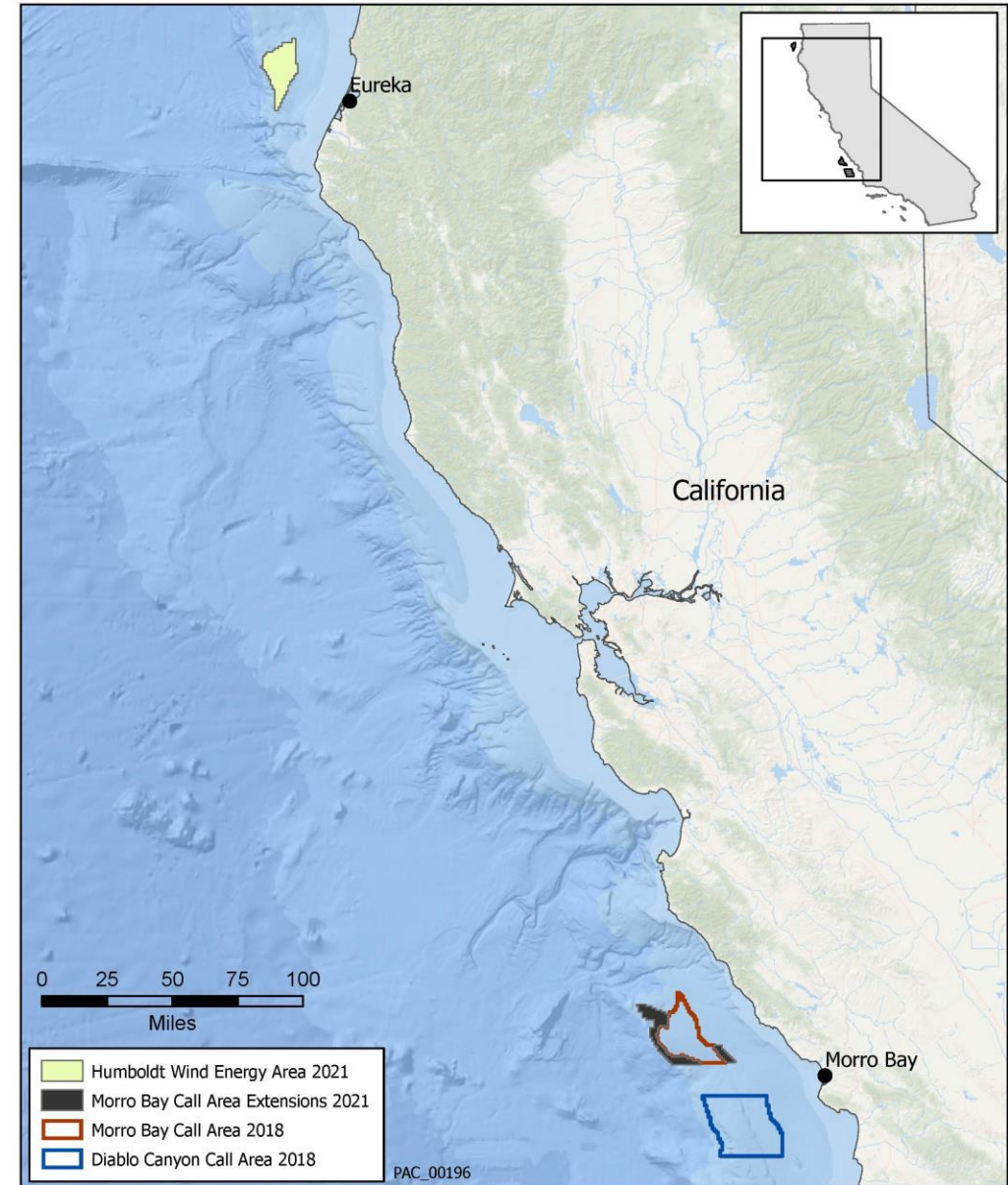
California Offshore Wind Planning

- North Coast
 - Humboldt Wind Energy Area
- Central Coast
 - Morro Bay Call Area and Extensions
 - Diablo Canyon Call Area

BOEM

Bureau of Ocean Energy Management
Pacific Region

California Call Areas and Wind Energy Area
July 28, 2021



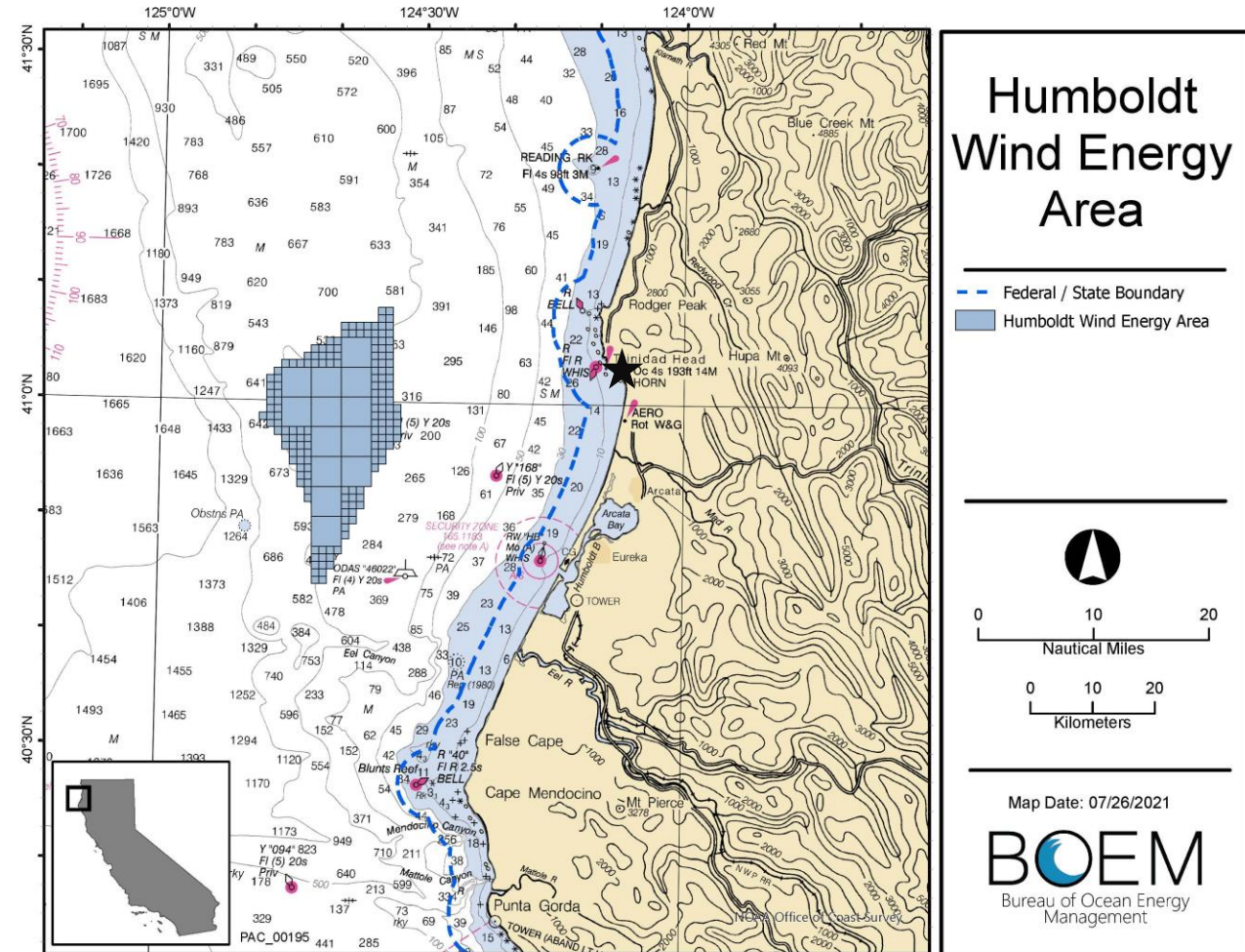
BOEM

Bureau of
Ocean Energy Management

North Coast Wind Energy Area - Humboldt

Humboldt Wind Energy Area

- Size: 132,369 acres (206 square miles)
- Distance to Shore: ~20 miles
- Identical to the Humboldt Call Area
- BOEM Area Identification Memo available at:
www.boem.gov/HumboldtEA
- Will be focus of the environmental assessment



California Road Ahead – Outlook and Next Steps

- Morro Bay Wind Energy Area Identification
- Conduct Environmental Assessments
- Publish Proposed Sale Notice
 - Humboldt and Morro Bay Areas will be combined into one Proposed Sale Notice for a single California lease auction that includes both areas
 - 60-day comment period
 - Last opportunity for developers to provide interest
- Publish Final Sale Notice
- Lease Auction (Fall 2022)





Bureau of Ocean Energy
Management

BOEM.gov



Jean Thurston-Keller, jean.thurston-keller@boem.gov



Commercial Wind Lease Issuance and Site Assessment Activities on the Pacific Outer Continental Shelf offshore Humboldt County

Trinidad City Council
September 14, 2021



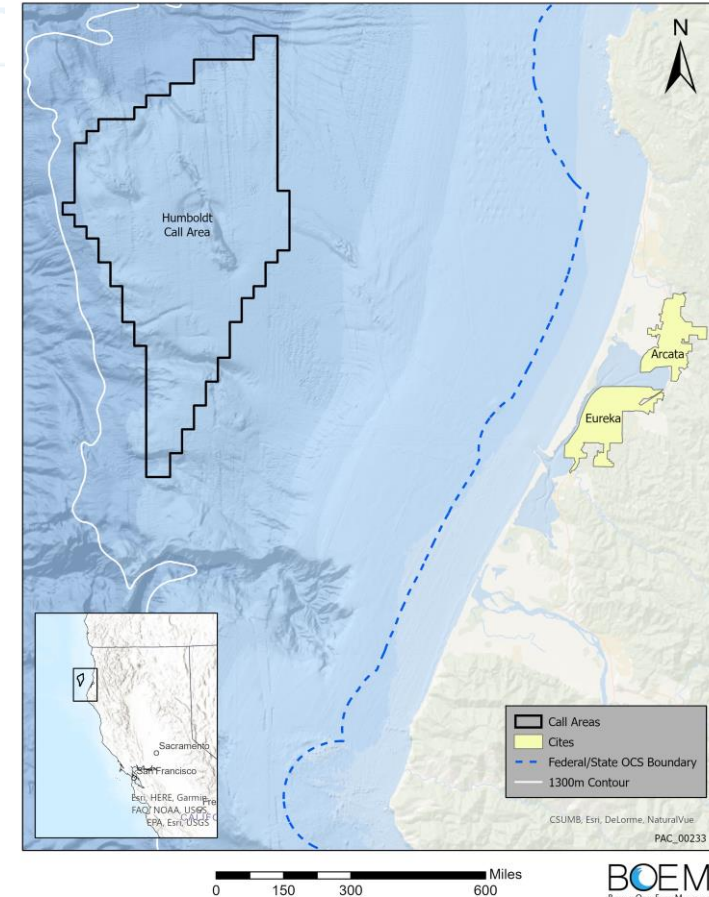
National Environmental Policy Act (NEPA)

NEPA requires Federal agencies to assess the environmental effects of their proposed action prior to a decision

Proposed Action/ Decision Point

- Issuance of commercial wind energy lease(s), which includes areas within federal waters that might be used for energy production, collection and transmission
- Site Characterization Activities – biological, geotechnical, geophysical, and archaeological surveys
- Site Assessment Activities – deployment of one or more buoys to gather oceanographic and meteorological data

Construction and Operation of a project is not being considered. These impacts are evaluated once a project plan is submitted.



Environmental Assessment Schedule for Humboldt WEA

Summer 2021

Scoping



Winter 2021/2022

Publish EA for Review
and Comment



2022

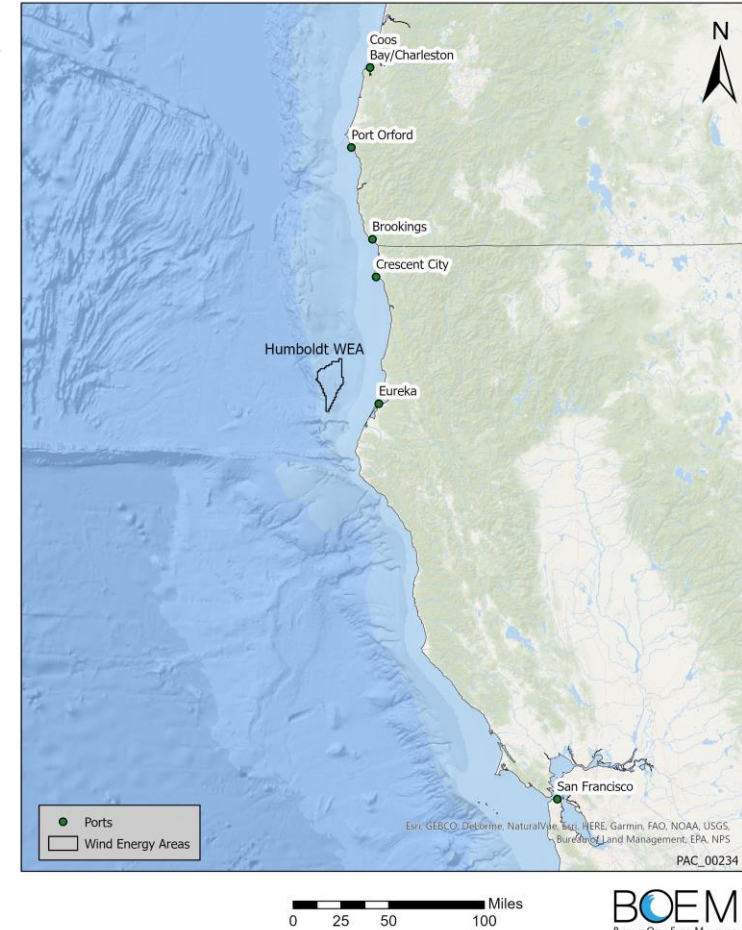
Final EA

BOEM is Asking for Comments on the Scope of the EA

Proposed Action – Issuance of a lease and further site evaluation

Alternatives - Reasonable options may reduce impacts.

BOEM will conduct a comprehensive review of impacts associated with lease issuance and site assessment/characterization activities



Environmental Resources and Socio-cultural Considerations



Biological

- Marine Mammals and Sea Turtles
- Fish and Essential Fish Habitat
- Marine Habitats
- Avian and Bat Species
- Threatened and Endangered Species



Physical

- Air Quality
- Water Quality
- Geology/ Geohazards (New)



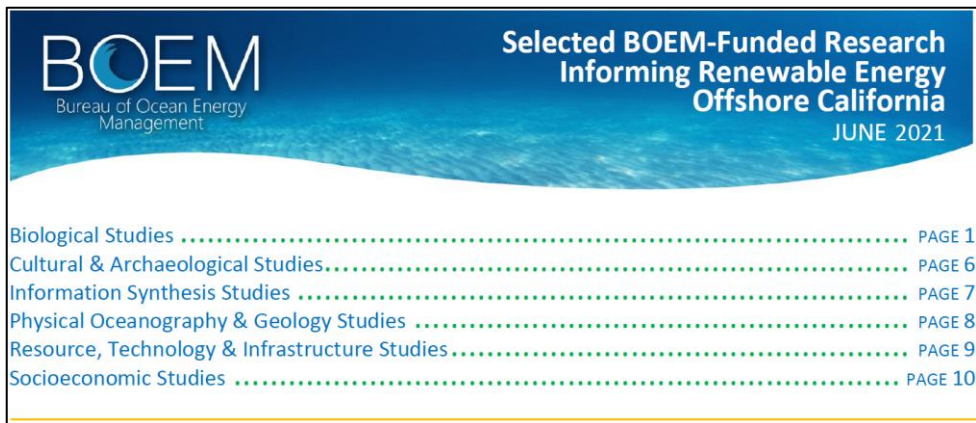
Socio-cultural Considerations

- Tribes
- Historic Properties
- Commercial and Recreational Fishing
- Environmental Justice
- Tourism and Recreation
- Demographics and Employment
- Military Use
- Navigation/Vessel Traffic

BOEM Consultations with Agencies

- **National Historic Preservation Act (NHPA Section 106) – CA Office of Historic Preservation, Advisory Council on Historic Preservation**
- **Coastal Zone Management Act (CZMA) – CA Coastal Commission**
- **Endangered Species Act (ESA Section 7) – NOAA, NMFS**
- **Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat [EFH]) – NOAA, NMFS**

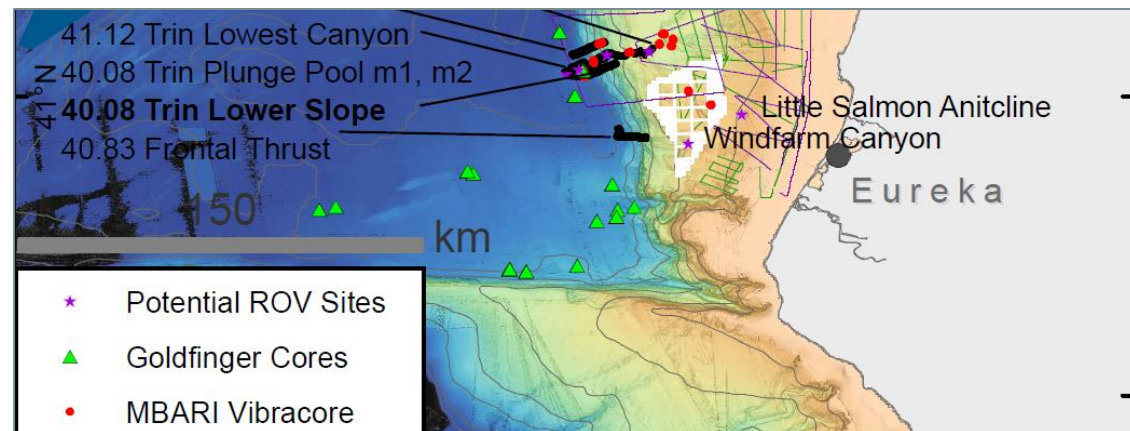
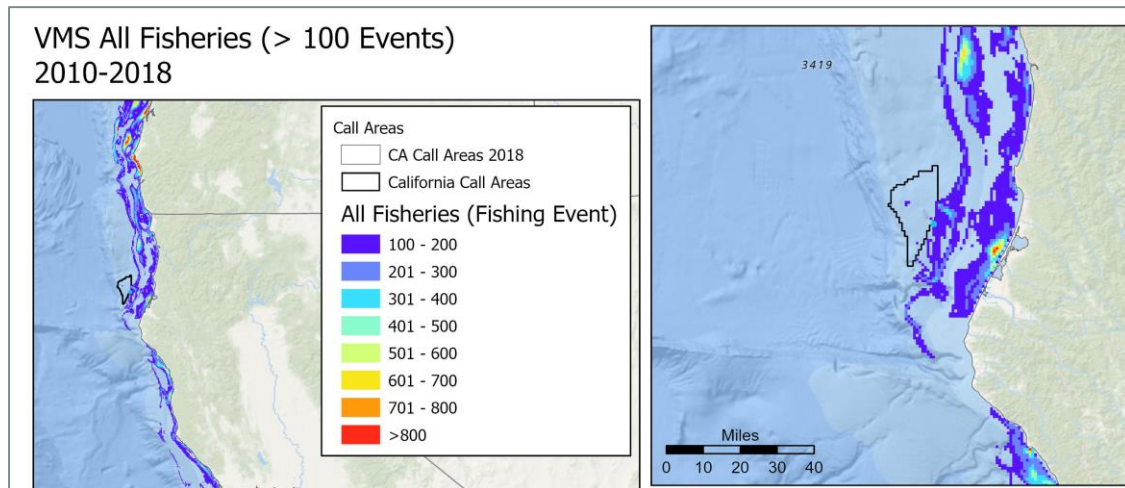
Providing and Collecting Information



<https://www.boem.gov/Selected-BOEM-Research-Renewable-CA/>
<https://www.boem.gov/west-coast-renewable-energy-science-exchange>



<https://caoffshorewind.databasin.org/>



Humboldt Environmental Assessment Next Steps

- Scoping comment period ended September 13, 2021 (HumboldtOffshoreWind@BOEM.gov)
- Resources and comments are found at www.boem.gov/California
- Integrate comments into an EA for public review ~ early 2022. Anticipating 30-day public comment period and will have public meetings.
- Anticipate a California Coastal Commission Hearing in March 2021
- Gave this presentation to the PFMC adhoc Marine Spatial Planning Committee on September 1, 2021.
- Please let us know what kinds of engagement would help your community in the next year?



BOEM.gov



Lisa Gilbane | lisa.gilbane@boem.gov | 805-384-6387

For more information on the Environmental Assessment
offshore Humboldt County, visit: www.boem.gov/HumboldtEA

Additional Resources and Information

- BOEM Renewable Energy California Website: www.boem.gov/california
- BOEM's Renewable Energy Program: www.boem.gov/renewable-energy
- Selected BOEM-funded Research Informing Renewable Energy Offshore California: www.boem.gov/sites/default/files/documents/renewable-energy/Selected-BOEM-Research-Renewable-CA_0.pdf
- California Offshore Wind Energy Gateway: <https://caoffshorewind.databasin.org/>
- California Offshore Wind Energy Planning Outreach Summary Report (Updated June 2021): www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/Offshore-Wind-Outreach-Addendum.pdf
- Morro Bay Call Area Extensions: www.boem.gov/renewable-energy/state-activities/morro-bay-call-extension-areas
- Humboldt Wind Energy Area Environmental Assessment: www.boem.gov/HumboldtEA

Additional Resources and Information

- BOEM-State of California Programmatic Agreement / Section 106 of the National Historic Preservation Act: www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/CA-Sect-106-Programmatic-Agreement.pdf
- California Visual Simulations: www.boem.gov/renewable-energy/state-activities/california-visual-simulation
- Information on Local Outreach and Offshore Working Group Visual Simulations: www.boem.gov/march-9-2020
- BOEM Environmental Studies – Pacific (Final Reports and Publications): www.boem.gov/environment/environmental-studies-pacific
- National Renewable Energy Laboratory Floating Offshore Wind webinar: www.youtube.com/watch?v=58EYcYbRKqk
- A Citizen's Guide to BOEM's Renewable Energy Authorization Process: www.boem.gov/renewable-energy



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

2. Discussion/Decision regarding Resolution 2012-10, Endorsing Single Payer Healthcare Legislation request for AB1400 and HR 1976.

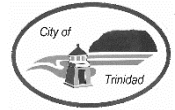
From: [Ross Ward](#)
To: sladwig@trinidad.ca.gov
Cc: jwest@trinidad.ca.gov; rclompus@trinidad.ca.gov; dgrover@trinidad.ca.gov; tdavies@trinidad.ca.gov; cityclerk@trinidad.ca.gov; citymanager@trinidad.ca.gov
Subject: Single Payer Resolutions
Date: Monday, July 12, 2021 11:01:00 AM
Attachments: [SP resolution-Trinidad City Council.pdf](#)

Hello Mayor Ladwig,

My name is Ross Ward and I am contacting you on behalf of the local chapter of Health Care for All-California and Physicians for a National Healthcare Program to ask that you endorse the recent resolution in favor of a single payer healthcare program. The city council previously endorsed the single payer legislation, SB 562, however there now are currently two new pieces bills, AB 1400 and HR 1976, which we would like to be endorsed. I would like this resolution to be added to the city's August meeting agenda and would be willing to give a short presentation on the subject if time and interest permit.

Thank you for your time and consideration,
Ross Ward

P.S. Feel free to contact me if you have any questions.



RESOLUTION 2021-09

IN SUPPORT OF SINGLE PAYER BILLS FOR HEALTH CARE REFORM

WHEREAS recent polls show that 69% of Californians support single-payer health care with every person in **Trinidad** deserving high quality health care, both **The California Guaranteed Health Care for All Act ("CalCare"), AB 1400**, and the federal, **Improved Medicare for All Bill, HR 1976**, would establish state- or nation-wide comprehensive, universal, single-payer health care with a cost control system for the benefit of all residents of the state and specifically for the **City of Trinidad**; and

WHEREAS Both the state and federal legislation would guarantee that all residents of **Trinidad** will be fully covered for health care without copays, deductibles, or other out-of-pocket costs saving millions now spent on premiums that often provide inadequate health insurance coverage and saving the **City of Trinidad** the cost burden of health insurance for its employees amounting to approximately \$80K/Year; and

WHEREAS both legislative acts would slash bureaucracy, protect the doctor-patient relationship, and assure patients a free choice of doctors and hospitals; and

WHEREAS the ever-increasing costs of health care, which are further elevated due to the pandemic, may challenge our already strapped state and municipal budgets; and

WHEREAS the number of Californians before the Covid-19 pandemic without health insurance was 2.7 million, with 12 million Californians underinsured, despite important gains made since the implementation of the Affordable Care Act; and

WHEREAS the current Covid-19 pandemic has led to record levels of unemployment, loss of employer sponsored health insurance, a severely strained health care system, widespread illness, disproportionately impacting the poor and communities of color and has taken a profound toll on every community's mental health, all of which is placing significant demands on our health care system, and

WHEREAS the Covid-19 pandemic further exposed the dangers of our fragmented, profit-driven health care system, which leads many Californians to delay seeking needed health care due to an inability to pay, leading to a sicker and poorer population in the long run while such population is significantly more likely to develop serious illness if exposed to diseases like Covid-19 and will subsequently face higher mortality rates; and

WHEREAS, by eliminating administrative waste and corporate health insurance and pharmaceutical profits, both **CalCare** and **Improved Medicare for All** would guarantee care without charge at the point of service for all California and/or national residents, providing necessary medical care including prescription drugs; hospital, surgical, and outpatient services; primary and preventive care; emergency services; reproductive care; dental and vision care; and long-term care; therefore

BE IT NOW RESOLVED that the **City of Trinidad** expresses its enthusiastic support for the bills, **CalCare, AB 1400**, and **Medicare for All, HR 1976**, and calls upon our state and federal legislators to work toward their immediate enactment.

APPROVED AND ADOPTED this 14th Day of September by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

3. Prop 84 ASBS Stormwater Project Update

AGENDA ITEM

Date: September 14, 2021

Item: PROP 84 ASBS STORMWATER PROJECT UPDATE

1. Stormwater Project Permitting Update

City Staff and the City Engineer participated in a conference call with representatives of the North Coast Regional Water Quality Control Board (Regional Board) and State Water Resources Control Board (Water Board) on August 23, 2021. The Regional Board informed staff that the Stormwater Project will be subject to groundwater Waste Discharge Requirements (WDR). The City will need to submit a Notice of Intent (NOI) to comply with the conditional waivers of waste discharge requirements for low threat discharges in the North Coast Region.

In addition, the Regional and Water Board representatives communicated that the Water Boards decided that the City must continue to have MS4 Permit coverage even after the City completes the Stormwater Project and eliminates the stormwater outfall. Staff will research and draft a letter to the Water Board seeking a Waiver from the General Permit Requirements or elimination of specific requirements of the General Permit.

Permitting Update Attachments:

- August 24, 2021 Email message from Brendan Thompson, Regional Board

2. Stormwater Project Construction Schedule Update

The project was awarded to GR Sundberg June 21, and a pre-construction conference was held with the City, GHD, GR Sundberg, and project funders where the construction schedule was discussed as occurring from July 15 to October 15 per the contract documents. The Notice to Proceed was issued on June 30. A request for information was submitted by GR Sundberg in July regarding some requested changes to pipe sizes and lengths, some of which was acceptable and some were not acceptable. GR Sundberg noted construction would not start in August due to material lead times, and would start in September. Repeated requests to GR Sundberg for a project schedule have not yet resulted in a schedule being submitted. On September 9, the contractor proposed starting construction in mid-December. City staff, the City Engineer (GHD) and the contractor are working to develop a feasible schedule. GHD staff and a GR Sundberg representative will be present at the meeting to answer questions.

Rebecca Price-Hall

From: Thompson, Brendan@Waterboards <Brendan.Thompson@waterboards.ca.gov>
Sent: Tuesday, August 24, 2021 1:19 PM
To: Rebecca Price-Hall
Cc: Moore, Heaven@Waterboards; Reed, Charles@Waterboards; Watt, Chris@Waterboards; Puget, Jeremiah@Waterboards
Subject: Trinidad Infiltration Project: NOI for Waiver of WDRs

Hello Becky,

We appreciate the City of Trinidad's time yesterday morning. Below is the information the City will need to start the process for coverage under our Conditional Waiver of Waste Discharge Requirements (WDRs).

Here is a link to the Conditional Waiver:

https://www.waterboards.ca.gov/northcoast/board_decisions/adopted_orders/pdf/2017/17_0039_Conditional_Waiver.pdf

Attachment A:

https://www.waterboards.ca.gov/northcoast/board_info/board_meetings/12_2017/pdf/8/17_0039_Conditional_Waiver_AttachA.pdf

Attachment B (Notice of Intent):

https://www.waterboards.ca.gov/northcoast/board_info/board_meetings/12_2017/pdf/8/17_0039_Conditional_Waiver_AttachB.pdf

At the City's earliest convenience, please fill out Conditional Waiver Attachment B and mail to the Regional Water Board along with the \$6,409 application fee. The \$6,409 fee will be a one time fee for the entire 5-year permit term of the waiver—if this discharge was covered under an individual WDR, rather than a *waiver of* WDRs, then the \$6,409 would be the annual fee, but because we anticipate covering you under the waiver this is only a one-time fee. The application fee should be mailed along with the application to 5550 Skylane Blvd., Ste A, Santa Rosa, CA 95403.

Please provide the following information with your application/NOI:

1. Quantitative estimates of pollutant loads in storm water runoff based on land use within drainage areas;
2. Description of how pollutant reductions in storm water runoff will be achieved through BMPs to protect high quality groundwater and meet groundwater quality objectives in the Water Quality Control Plan for the North Coast Region (i.e., "[The Basin Plan](#)");
3. Design drawings of the infiltration system and permanent BMPs (i.e., separators, LID features);
4. Operations and Maintenance Plan for the infiltration system and permanent BMPs;
5. Stormwater monitoring workplan;
6. Groundwater monitoring workplan;
7. Please include all of the City's technical documents, plans, reports as appendices.

Also, please let us know your timeline for providing the above information. We understand you may need to discuss some of these items with us before you may be able to offer an informed timeline. We are available to meet—please contact me to arrange a time to discuss.

Thank you,

-Brendan

Brendan Thompson
Environmental Scientist
Municipal Stormwater Coordinator
North Coast Regional Water Quality Control Board
5550 Skylane Blvd. Ste. A
Santa Rosa, CA 95403-1072
(707) 407-0036



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

4. Discussion/Decision regarding Small Community Drought Relief Program Grant Application

AGENDA ITEM

Date: September 14, 2021

Item: Small Community Drought Relief Program Grant Application

The Department of Water Resources (DWR) announced that it is accepting applications for the Small Community Drought Relief Grant Program through December 29. From the grant Guidelines page 2: *“The Program will support projects and programs that provide immediate and near-term water supply reliability benefits and improve small communities’ drought and water shortage resiliency and preparedness. The specific objectives are to implement projects that provide reliable water supply sources, improve water system storage, replace aging and leaking pipelines, and provide alternative power sources for operation (emergency generators).”*

As discussed at the August meeting, the City periodically applies for grants to fund water system repairs and improvements. At the August Council meeting, the Water Committee presented the following recommendations capital improvements that improve drought resilience: 1) identifying and fixing leaks and 2) constructing a new water storage tank, and 3) to leverage water reserve funds to start the repair process while seeking grant funding. Both replacing leaking water mains and constructing a new water storage tank would be eligible projects for the Small Community Drought Relief Program.

Drought Relief Grant Projects must be completed by June 30, 2024, so projects that do not require in depth planning may be the best choice for this grant program. For this reason, staff recommends pursuing funding to replace leaking and old water mains. Constructing a new 500,000 gallon water storage tank could also be eligible. Staff will need technical assistance to complete the application process and recommends authorizing up to \$4,000 for development of the application package. Staff recommends that Council direct staff to develop a grant application for the water main replacement and/or new water tank based on eligibility and cost considerations.

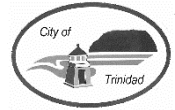
This grant program is a non-competitive first come, first served opportunity until the grant funds run out, so time is of the essence.

Staff Recommendations:

- Authorize staff to complete the application for the Trinidad Drought Relief Project for the water main replacement and/or new water tank based on eligibility and cost considerations.
- Adopt Resolution 2021-10, Authorizing the Grant Application, Acceptance, and Execution for the Trinidad Drought Relief Project.
- Authorize up to \$4,000 in Water Funds to be spent for grant application technical assistance.

Attachments:

- Resolution 2021-10
- Small Community Drought Relief Program Guidelines Intro



RESOLUTION 2021-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD
AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION
FOR THE TRINIDAD DROUGHT RELIEF PROJECT

WHEREAS, the City of Trinidad proposes to implement the Trinidad Drought Relief Project;

WHEREAS, Trinidad Drought Relief Project is being implemented in response to a drought scenario, as defined by Water Code section 13198(a) and is intended to: (1) address immediate impacts on human health and safety; (2) address immediate impacts on fish and wildlife resources; or, (3) provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies;

WHEREAS, City of Trinidad has the legal authority and is authorized to enter into a funding agreement with the State of California; and

WHEREAS, City of Trinidad intends to apply for grant funding from the California Department of Water Resources for the Trinidad Drought Relief Project;

THEREFORE, BE IT RESOLVED by the City Council of the City of Trinidad as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 69, § 112), the City of Trinidad City Manager, or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources, and take such other actions as necessary or appropriate to obtain grant funding.
2. The City of Trinidad City Manager, or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The City of Trinidad City Manager, or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

CERTIFICATION I hereby certify that the foregoing Resolution was **approved and adopted on the 14th Day of September by the following vote:**

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Gabriel Adams
Trinidad City Clerk

Steve Ladwig
Mayor

SMALL COMMUNITY DROUGHT RELIEF PROGRAM GUIDELINES

I. PURPOSE AND USE

This document establishes the process, procedures, and criteria that the Department of Water Resources (DWR) will use to implement the Small Community Drought Relief Program. It provides both general information of the program and detailed information for submitting applications. Included is information about program requirements; eligible applicants and projects; submittal, and review of grant applications; and the grant funding award process.

II. INTRODUCTION AND OVERVIEW

Two hundred million dollars of General Fund monies have been appropriated for the Small Community Drought Relief Program in response to the 2021 drought. Funds will be available for encumbrance or expenditure until June 30, 2024.

In the first quarter of 2021, it became apparent that California was in a drought because of the prevailing hydrological conditions. Climate change-induced early warm temperatures and extremely dry soils had depleted the expected runoff water from the Sierra-Cascade snowpack, resulting in historic and unanticipated reductions in the amount of water flowing to the major rivers and reservoirs in the state, especially in Klamath River, Sacramento-San Joaquin Delta and Tulare Lake Watershed counties.

Governor Newsom proclaimed a state of emergency for drought on April 21, 2021 and May 10, 2021 to cover the counties most affected. On July 8, 2021, the drought emergency proclamation was expanded to cover 50 counties of the State as the drought worsened. The drought emergency proclamations directed state agencies to take immediate action to bolster drought resilience and prepare for impacts on communities, businesses and ecosystems if dry conditions extend to a third year.

A. Authority

The Small Community Drought Relief Program (Program) was authorized by the Legislature pursuant to the Budget Act of 2021 (Stats. 2021, ch. 69, §112) and its Trailer Bill, Assembly Bill 148 (Stats. 2021, ch. 115, § 97). The Trailer Bill authorized specified state agencies, defined as implementing agencies, to, subject to an appropriation for these purposes, to make grants and direct expenditures for interim or immediate relief in response to conditions arising from a drought scenario to address immediate impacts on human health and safety and on fish and wildlife resources and to provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies.

The Trailer Bill defined drought scenario as when the Governor has issued a proclamation of a state of emergency pursuant to the California Emergency Services Act based on drought conditions or when the State Water Resources Control Board determines, subject to specified requirements, that drought conditions necessitate urgent and immediate action to ensure availability of safe drinking water, to protect public health and safety, or to avoid serious and irreparable harm to fish or wildlife.

The Program is authorized to fund “interim or immediate relief” as defined in Water Code section 13198(c). “Interim or immediate relief” means any of the following:

- (A) Hauled water.
- (B) Temporary community water tanks.
- (C) Bottled water.
- (D) Water vending machines.
- (E) Emergency water interties.
- (F) New wells or rehabilitation of existing wells.
- (G) Construction or installation of permanent connections to adjacent water systems, recycled water projects that provide immediate relief to potable water supplies, and other projects that support immediate drought response.

B. Intent and Objectives

The intent of the Small Community Drought Relief Program is to provide immediate and near-term financial and technical support to help small communities survive this and future droughts. Financial support includes grants for recipients to implement projects that satisfy program objectives. Technical support includes, but not limited to, DWR directly providing project management, engineering and construction management services to construct infrastructure for beneficiaries where it will best serve the program objectives.

The program aims to implement needed resiliency measures and infrastructure improvements for small water suppliers and rural communities. The Program will support projects and programs that provide immediate and near-term water supply reliability benefits and improve small communities’ drought and water shortage resiliency and preparedness.

The specific objectives are to implement projects that provide reliable water supply sources, improve water system storage, replace aging and leaking pipelines, and provide alternative power sources for operation (emergency generators). Potential projects include emergency and permanent interties, well deepening, second well, fixing or replacing leaking water lines, construction or upgrade of intake structures, additional water storage facilities and tanks.

The Program will also provide funding for hauled water, temporary community water tanks, bottled water, water vending machines, and emergency water interties, as a bridge to more permanent and drought resilient solutions.

C. Coordination with Other Agencies

DWR is responsible for administering the Program, including soliciting proposals (where necessary), organizing application reviews, preparing and administering grant agreements, monitoring project progress, and program oversight through the terms of the grant agreement.

Proposals received by this Program will be coordinated with other DWR programs to ensure efficiency and avoid duplication. Furthermore, DWR will collaborate with the State Water Resources Control Board (SWRCB) Financial Assistance Program as well as the Safe and Affordable Funding for Equity and Resilience (SAFER) Program.



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

5. Discussion/Decision regarding Water Shortage Response Team Appointments – Councilmember and Planning Commissioner.

AGENDA ITEM

Date: September 14, 2021

Item: Discussion/Decision regarding Water Shortage Response Team Appointments – Councilmember and Planning Commissioner

Summary:

Ordinance 2021-03 is the Water Shortage Contingency Plan and creates the Water Shortage Response Team (WSRT). The team is composed of the City Manager, Public Works Director, one Councilmember, and one Planning Commissioner.

The City Council should appoint a Councilmember to the WSRT.

The City Council should request that the Planning Commission appoint a Planning Commissioner at their next meeting (tomorrow) to the WSRT.

Motion:

Appoint City Councilmember _____ to the WSRT, and request the Planning Commission appoint a Planning Commissioner at their next meeting to the WSRT.



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

6. Discussion/Decision to Select Dates, Times, and Council Representatives to a Government to Government (G2G) Consultation with the Trinidad Rancheria

AGENDA ITEM

Date: September 14, 2021

Item: 6. Discussion/Decision to select dates, times, and Council representatives to a Government to Government Consultation with the Trinidad Rancheria

Summary: The Trinidad Rancheria in a letter dated May 26, 2021, requested a Government to Government Consultation to discuss the Trinidad Head Sign. They wish to have the consultation on either September 20th or 21st at 10 am. The City Council should appoint 2 Councilmembers as an Ad Hoc Committee for the purpose of this consultation.

Motion: Appoint Councilmember _____ and Councilmember _____ to an Ad Hoc Committee to meet with the Trinidad Rancheria to discuss the Trinidad Head Sign.



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

7. Presentation from Water Advisory Committee regarding Mill Creek Water Rights, and Motion to Accumulate Flow Data for Mill Creek

AGENDA ITEM

Date: September 14, 2021

Item: Presentation from Water Advisory Committee regarding Mill Creek Water Rights, and Motion to Accumulate Flow Data from Mill Creek

Summary:

The Water Advisory Committee (WAC) met on September 7, 2021, and heard a presentation by Committee Member Bryce Kenny on the potential use of Mill Creek to augment Luffenholtz Creek.

The WAC moved to recommend to the City Council to accumulate flow data for Mill Creek for the near term (i.e. next 5 weeks).

Motion:

Direct staff to accumulate a weekly flow data reading for Mill Creek for the next 5 weeks.

Attachment:

August 31, 2021, Memo from Bryce Kenny on the Potential Use of Mill Creek to Augment Luffenholtz Creek

MEMO

DATE: August 31, 2021

TO: WATER ADVISORY COMMITTEE

FROM: BRYCE KENNY

RE: POTENTIAL USE OF MILL CREEK TO AUGMENT
LUFFENHOLTZ CREEK

“Water always flows downhill, unless it is flowing towards money.”
Cadillac Desert (1986)

Since my last Memo of July 6, 2021, I received a two-page letter that was listed as part of the Appendix to the 2003 Winzler & Kelly report, but was not actually attached to the copy that the city had. The report was on potential other sources of water for Trinidad besides Luffenholtz Creek, the current and sole source.

The letter, dated July 2, 2001, from the Chief of the Division of Water Rights of the State Department of Water Resources, is to Winzler & Kelly engineer Steve McHaney.

Among the important information stated there is the statement that “Standby Municipal Use,” the current name for the rights to Mill Creek which the city still retains, does not have a specific definition. But staff interprets it to mean that “water could be diverted to the full extent of the right to handle an emergency *or* shortage.” A shortage is defined to include “a dry water year in which the available supply of the primary source has been reduced.”

The letter offers the opinion that “a standby use cannot be used on a continuous basis, the right is intended to be used only in time of shortage or emergency.”

Assuming for the sake of argument that the letter is correct that discontinuing consumption of the Mill Creek water is the same as

discontinuing its beneficial use,¹ it seems clear that the city could again use Mill Creek to augment Luffenholtz Creek during any portion of each year that it is reasonably perceived that a “shortage” is occurring with respect to Luffenholtz Creek’s ability to provide all the city’s water needs.

A recent conversation with the party that now owns the parcel that contains the city’s “point of diversion” for its rights in Mill Creek indicates that he is still amenable to discuss with the city the possibility of obtaining the necessary easements should the city decide to resume extracting water from Mill Creek.

I believe that a project to reconstruct the infrastructure needed to again extract and store water from Mill Creek would be categorically exempt from CEQA under a Class 2 Exemption found at Title 14 Sec. 15302 of the California Code of Regulations, which provides in relevant part as follows:

“15302 - Replacement or Reconstruction

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:...(c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.”

Case law interpreting Sec. 15302 suggests that the facility to be replaced need not actually be “existing” at the time it is replaced, so long as it was there at one time.

In Save Our Carmel v. Monterey (2006) 141 Cal.App.4th 677, a party had applied for the transfer of certain special water rights recognized by a local agency and that had belonged to a building that was demolished in 1994. The developer wanted to transfer the right to a new building to be constructed in the vicinity of the old building and of similar size,

¹ I believe that a reasonable argument could be made that maintaining the right as “standby” is a beneficial use of the water, whether any was actually consumed or not; meaning that the city has not lost the right it first obtained in 1957. Another type of “non-consumptive use would be diverting water from a stream into a pipe containing a turbine, and then directing the water back into the stream. It has been “used” but not consumed.

with the city holding the right in the interim. He asserted an exemption from CEQA under Sec. 15302, above, and the city accepted the request. It was later challenged in court, and the trial court upheld the city's interpretation of the rule. But the Court of Appeal reversed on the grounds that the water right at issue was not a "structure and facility" within the meaning of Sec. 15302. Id. at 697.

What is significant here is that no party asserted that the original building having been demolished in 1994 was relevant to the analysis that occurred in 1999 and 2004, when the issue was decided by the city. In other words, the structure to be replaced does not have to actually still be in existence when the CEQA exemption is being sought. That interpretation makes sense, because in some instances, a structure or facility is completely destroyed by natural forces such as fire or flood, and cannot be said to be in existence when it must be rebuilt.

The CEQA Guidelines section 15300.2, subdivision (c) states: "A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."

An analysis of that section would also have to be done by the city if it concluded that a Class 2 Exemption would apply to rebuilding the infrastructure that previously existed for collecting and transporting water from Mill Creek for city use.

According to the map on the city's web site under planning documents, the Mill Creek site is within the Coastal Zone, but outside of the appeal jurisdiction, meaning a city determination to issue a Coastal Development Permit for a rebuilding project could not be appealed to the Coastal Commission.

I have requested and received, for the city, a complete copy of the file that the State Division of Water Rights has on Mill Creek. It has been very useful in establishing that, among other things:

* A private water company was created in 1908 which withdrew water from Mill Creek, and sold it to, among others, the City of Trinidad

- * The city purchased the private company in 1947

- * The city likely has appropriative rights that go back to 1908. The Department of Water Resources only began creating water rights in 1914

- * The old dam was 14 feet tall and 35 feet wide. The tank was 96,000 gallons fed by a 4 inch line and a pump that could move about 100 gallons per minute. The output line to the city was also 4 inches.

- * In 1962, the city had 289 residents, and 114 service connections both in and outside the city limits

To recap from my prior Memo, the city could theoretically extract up to 58,157 gallons per day from Mill Creek, or .09 cubic feet per second (cfs), so long as it did not extract more than .56 cfs of water from Mill and Luffenholtz Creeks combined. There would be no danger of that, because the city never extracts anywhere near its allotted water rights in Luffenholtz Creek. Average city extraction in summer is .16 cfs. (GHD Oct. 2019 p. 8) Maximum right to Mill Creek .09 cfs plus average from Luffenholtz .16 cfs equals .25 cfs.

RECOMMENDATION

My recommendation, and what I ask the Committee to join in on, is a recommendation to the council that as soon as possible, flow meters be installed in Mill Creek at the officially recognized point of diversion, so we can get an accurate idea of how much water goes down it, just as we have done with Luffenholtz Creek.



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

8. Presentation from Water Advisory Committee regarding Trucking in Water Option during an Emergency.

AGENDA ITEM

Date: September 14, 2021

Item: Presentation from Water Advisory Committee regarding Trucking in Water Option during an Emergency

Summary:

The Water Advisory Committee (WAC) met on September 7, 2021, and heard a presentation by Committee Member Dave Grover on the feasibility of trucking in water to augment Luffenholtz Creek.

The WAC moved to present the findings on trucking in water at the next City Council meeting.

Attachment:

September 7, 2021, WAC Report on Bulk Water Delivery by Councilor Dave Grover

Water Advisory Committee (WAC) Report (Sample*)

Subject: Bulk Water Delivery

Author: Councilor Dave Grover

Abstract:

With the obvious conditions of climate change becoming more self-evident, and in accordance with the *Mission Statement* as described in Trinidad's *General Plan*, it is incumbent upon city officials to determine alternative methods of water supply to the current and future service area of the City of Trinidad, located in Humboldt County, CA. One important option, which is ostensibly available for potable water within a relatively short period of time during emergency drought conditions is bulk water delivery.

*** Updated for September 7, 2021:**

After expanding my outreach to three more potable water supply companies (*see table 1*), I managed to speak to one more agent, Mara, who has been employed by Six Rivers Bulk Water Delivery for several years. The resulting average retail cost amongst the potable water delivery companies that I was able to confirm with industry experts like Mara & Bill Puryear was ~8-10¢/gal., or \$500.00/5,600gal. This would indicate that trucking water into Trinidad at current retail pricing is not sustainable based on current water usage data (~40K/day) provided by the current WAC, and the most current GHD water analysis report (Clompus, 2021). Even if that price were to be cut in half, the city would be bankrupt with a couple of months.

Recommendation(s):

1. Apparatus engineered and installed at the water treatment or some other point within or adjacent to the Trinidad Water service area would not be cost effective and should not be considered or pursued as a viable water source for customers at this time. Future conditions may dictate a need for water delivery and may/should be reviewed by the WAC and/or other qualified individuals at that time
2. Residents with the ability to purchase/install water storage and/or gravity fed storage basins could purchase & store water on an individual basis. This would save the city water and create less use, but would also create less revenue for the city water system. Another caveat to consider would be the potability of the water after time. Storage and purification systems can become difficult for individuals due to stagnation, algae, or other complications associated with water storage systems; especially those that are used to the guarantee of fresh, clean water the currently experience under the current conditions.

Introduction: This preliminary report will discuss current options regarding the delivery of water to customers in the current, and with the possibility of a greater service area in the future. This section of the data collection process will be continually evolving as water abundance(s) and allocation is a fluctuating variable in any long-term analysis.

Method(s) used:

Web search and individual cell phone audio,

Recommendations: Although the initial table is sparse in content, I personally feel as though the table shown prior in this report could, and should be accompanied with a separate logbook that allows for anyone/everyone with knowledge regarding other sources of water delivery to add them to the table through the codification process and/or based on the viability of each water delivery entity? This is to avoid redundancies in the table and hopefully lead to some sort of prioritization process?

Results to date (9/2021):

Table 1: Shows a few possible delivery services and several details of each should a situation arise when the Trinidad water treatment facility can no longer accommodate the water needs of

Company	Address	Service Area(s)	Truck Capacity	Distance in Miles	Estimated Time for Delivery	Cost per Delivery	Average Cost per Gallon
Seasonal Water Solutions	Garberville, CA	Humboldt, Trinity, Mendocino	6,400 Gal.	90 Miles	2-3hrs.	\$350.00	.18286 USD/gal *
Bulk Water Delivery	Miranda, CA	Humboldt, Trinity, Mendocino	? (Waiting for callback)	81 miles	2-3hrs.	\$250.00	
Days Creek Bulk Water Delivery	Days Creek, OR		3,100 Gal.	194 miles	3-5hrs.	? (Waiting for callback)	
Colligan Water	Bakersfield, CA	Out of Service Area	N/A	568 miles	8-10hrs.	N/A	N/A
Bill Puryear**	Humboldt County	Humboldt	1,600 Gal.	Local (Most recent water purchase)			
Six Rivers Potable Water Delivery	Fortuna, CA	Humboldt & Mendocino Counties	5,600 Gal.	Within 40 miles	1-3hrs	\$500.00	\$0.08

* Due to current drought conditions, cost/gal should be considered as a sample and not an actual formulated amount.

** Has only purchased water from the city of Trinidad at roughly \$0.02/gal. & sold at nearly \$0.08/gal.

Results/Methods Summary:

In conjunction with water being trucked in, the treatment plant or other possible drop off storage and/or distribution sites should be assessed for adaptability and apparatuses able to receive/accept large quantities of water and distribute that water in a controlled manner. I expect to tour the plant & bring back more pertinent information at the next WAC meeting.

References:

Google search (MLA, Chicago, APA, etc,?)

Clompus, Richard. "Improving the Trinidad Municipal Water System: Fixing Leaks". Trinidad Documents Library, July, 2021. *Web*.

Acknowledgements:

City Clerk Gabe Adams for documentation.

Bill Puryear for audio call as a proprietor of a local water delivery company.

Six Rivers Potable Water Delivery of Fortuna, CA

*** Sample Report. See author for specific questions, comments, or concerns. Thank you for your participation!**









DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

9. Discussion/Decision to Survey Water System Customers regarding Water Source Options.

Proposed Agenda Item for CC meeting: Sep 14, 2021:

A Survey of Water Customers about City Plans to Address Dry Season and Drought Water Shortages from Luffenholtz Creek

Background:

The City Council will decide on October 12, 2021 where to apply resources to obtain more water for use by its residents with one of the following scenarios:

A. Develop and store water from the Luffenholtz and/or Mill Creek watersheds that may require obtaining additional water rights, use of private property to build and maintain multiple water storage ponds, lay and maintain pipelines to tap springs and negotiation of long-term property easements.

B. Participate in sharing the cost, with the Trinidad Rancheria, of a Humboldt Bay Municipal Water District (HBMWD) pipeline from McKinleyville to Trinidad's water plant.

All Trinidad water customers will be impacted by the City Council's decision. A water customer survey will permit residents to voice their opinion to City Council members prior to their decision on October 12 with the following process:

Sept 15-17: Invite adherents of each plan to prepare an INFORMATION statement (350 word max) expressing the benefits of their plan and concerns about the other plan.

By 2:00 pm Sept 20, the two statements should be filed with the City Clerk.

Sept 24: City Clerk mails INFORMATION statements and a survey question which asks water customers which plan they prefer, with a fill-in space for comments.

Sept 26-Oct 6: Water customers can mail (postmarked by Oct 1), email or drop off their responses to the City Clerk at the town hall. The city clerk or staff will tally the results and include them for the Oct 12 City Council meeting.

MOTION:

The Council directs staff to prepare Information statements and an opinion survey for water customers to express their opinions between:

- A. Develop and store water from the Luffenholtz and/or Mill Creek watersheds
- B. Shared Cost HBMWD Pipeline

The results of the survey shall be compiled and posted to the meeting packet for the council meeting, October 12, 2021. The survey should also be used to update the city water users' database with current emails, addresses and phone numbers.



DISCUSSION AGENDA ITEM

SUPPORTING DOCUMENTATION ATTACHED

10. Discussion/Decision regarding Support of CalCities Positions on State Legislation:
- A) Support of AB361 Open Meetings During Declared State of Emergency,
 - B) Request Veto of SB 9 – Increased Density in Single Family Zones, and
 - C) Support CalCities Resolution at the League Conference to request the State Legislature to Pass Legislation for a Fair and Equitable Distribution of the Bradley-Burns 1% Local Sales Tax from in-State Online Purchases

[Print](#) | [Close Window](#)

Subject: Agenda item 10.A: ACTION ALERT!! Open Meetings During Declared State of Emergency
From: "Trinidad City Manager" <citymanager@trinidad.ca.gov>
Date: Fri, Sep 10, 2021 1:42 pm
To: "Gabe Adams" <cityclerk@trinidad.ca.gov>

From: Sara Sanders [mailto:sanders@calcities.org]
Sent: Wednesday, September 08, 2021 10:53 AM
To: Sara Sanders
Subject: ACTION ALERT!! Open Meetings During Declared State of Emergency
Importance: High

ACTION ALERT!!

AB 361 (Rivas, Robert) Open Meetings During Declared State of Emergency

SUPPORT

ACTION:

AB 361 (Rivas, Robert) would take immediate effect as an urgency statute and requires a two-thirds vote in both the Senate and the Assembly to move to the Governor's desk. We need your help to get it over the finish line. Join Cal Cities in asking for an "aye" vote to secure passage of AB 361.

AB 361 will be heard in the Senate Judiciary Committee tomorrow, Sept. 9 at 9 a.m. If passed, the bill will head to the floor of each house.

Here's how you can help:

All Legislators need to hear from their cities. CALL your Senator and Assembly Member today and let them know that your city needs the flexibility provided in AB 361. *Talking points are provided below.*

Senator McGuire

Capitol Office Phone: 916-651-4002
Santa Rosa Office Phone: 707-576-2771
Eureka Office Phone: 707-445-6508
Ukiah Office Phone: 707-468-8914

Assembly Member Aguiar-Curry

Capitol Office Phone: 916-319-2004

Napa Office Phone: 707-224-0440

Assembly Member Wood

Capitol Office Phone: 916-319-2002

Ukiah Office Phone: 707-463-5770

Santa Rosa Office Phone: 707-576-2526

Eureka Office Phone: 707-445-7014

Background:

On March 17, 2020, Governor Gavin Newsom issued [Executive Order \(EO\) N-29-20](#) as part of a series of emergency measures in response to the COVID-19 pandemic. The EO allowing cities to conduct remote meetings under modified Brown Act requirements expires on Sept. 30, 2021.

City leaders throughout the state are doing everything they can to prioritize the health and safety of their residents during this global pandemic, and to also ensure government transparency, access, and public engagement.

Due to the increased spread of COVID-19 and the uncertainty that COVID-19 variants present, cities need to retain the flexibility they were granted in the EO to conduct meetings in a safe manner, while simultaneously ensuring public engagement and access. For this to happen, the Legislature must pass, and the Governor must sign, AB 361 (Robert, Rivas) into law. [AB 361](#) would allow cities to maintain transparency and public access while also being able to meet remotely during a declared state of emergency.

AB 361 was recently amended to take effect immediately upon the Governor's signature which will allow cities to continue to have the flexibility to operate remotely — similarly to how they have operated throughout the pandemic.

What would AB 361 do?

AB 361 would allow cities to continue to operate Brown Act meetings with modified Brown Act requirements during a declared state of emergency.

- Under AB 361, the public must continue to have access to the remote meeting and provided the ability to make public comment. Cities would not be required to make all remote meeting sites accessible to the public, nor include the remote location details in the meeting notice or agenda during a declared state of emergency.
- Cities would still be required to post agendas and meeting information but are not required to

post in physical locations when meeting remotely during an emergency.

- Local officials would not be required to be located at remote sites within the territorial bounds of the agency during a declared state of emergency.

Talking Points:

- Cities urgently need AB 361 to pass, so they can continue to provide essential services while prioritizing health and safety of their residents and ensuring government transparency, access, and public engagement.
- Public access and participation remain a core value of local democracy, and countless cities, without additional funding, have risen to this challenge and are engaging and listening to the public in a new, digital environment.
- This bill would provide local agencies with the flexibility to meet and act efficiently and effectively during emergency situations.
- Due to the increased spread of COVID-19 and the uncertainty that COVID-19 variants present, cities must be able to retain the ability and flexibility to continue to conduct meetings in the safest manner that they are able to under the Executive Order.
- Request that the member vote “aye” on AB 361.

Copyright © 2003-2021. All rights reserved.

[Print](#) | [Close Window](#)

Subject: Agenda item 10 B: Request for Veto - SB 9 (Atkins) Increased Density in Single-Family Zones

From: "Trinidad City Manager" <citymanager@trinidad.ca.gov>

Date: Fri, Sep 10, 2021 1:43 pm

To: "Gabe Adams" <cityclerk@trinidad.ca.gov>

Attach: image001.jpg

SB 9 Sample Veto Request Letter.docx

From: Sara Sanders [mailto:sanders@calcities.org]

Sent: Friday, September 03, 2021 9:59 AM

To: Sara Sanders

Subject: Request for Veto - SB 9 (Atkins) Increased Density in Single-Family Zones

Redwood Empire Division City Managers:

SB 9 (Atkins) is legislation that will require a local government to ministerially approve a housing development containing up to four units on a parcel that was otherwise designated for one single-family home and require local governments to ministerially approve an urban lot split, thus creating two independent lots that may be sold separately.

Earlier this week, SB 9 was voted out of the Assembly and Senate floors and is on its way to the Governor's desk for action.

Cities are asked to send a Request for Veto letter to the Governor. A sample veto request letter is attached. The Governor has until October 10 to take action, but once the bill reaches his desk, he can take action on it at any time.

In addition, all cities that have previously sent in opposition letters or communicated with me directly will be included on a Cal Cities' coalition letter to the Governor. If your city has not taken a position on SB 9 and would like to be included on this coalition letter, please let me know.

Thank you,

Sara

Sara Sanders

Regional Public Affairs Manager

League of California Cities

Cell: 916-548-9030

sanders@calcities.org | www.calcities.org

Background Information to Resolution

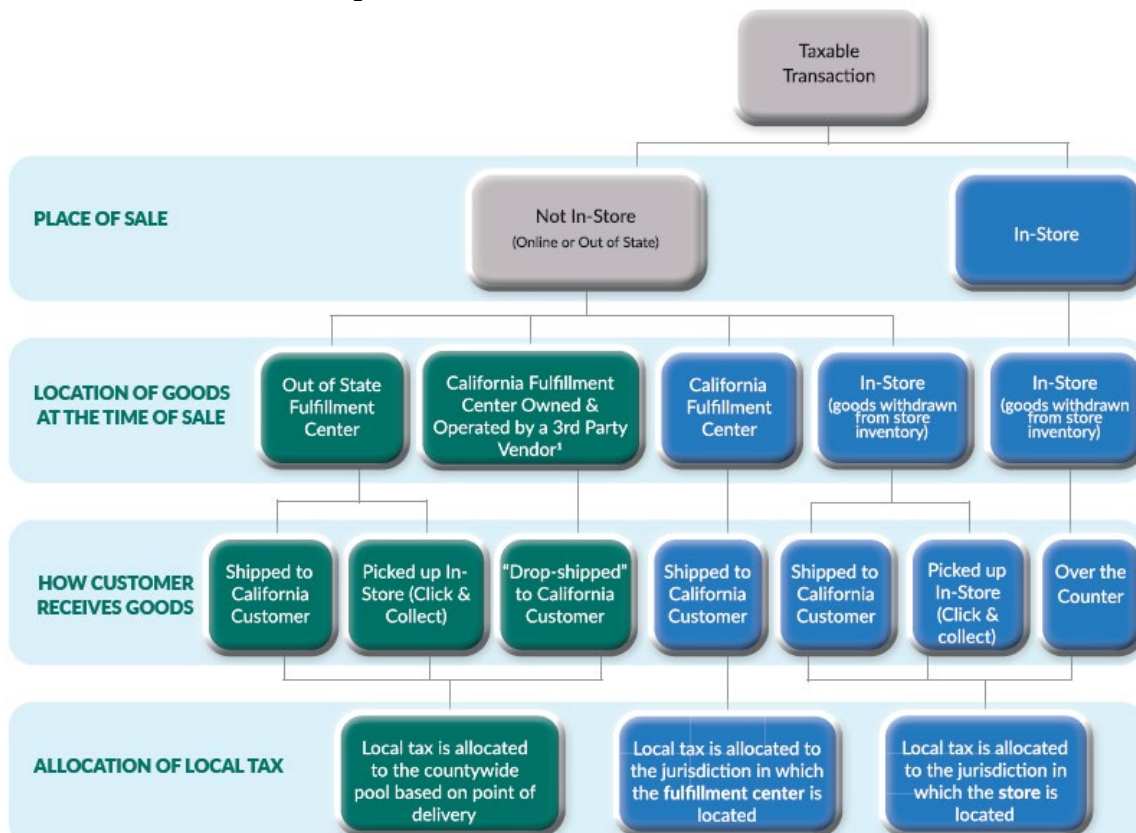
Source: City of Rancho Cucamonga

Background:

Sales tax is a major revenue source for most California cities. Commonly known as the local 1% Bradley-Burns tax, since the 1950's, cities have traditionally received 1 cent on every dollar of a sale made at the store, restaurant, car dealer, or other location within a jurisdiction's boundaries.

Over the years, however, this simple tax structure has evolved into a much more complex set of laws and allocation rules. Many of these rules relate to whether or not a given transaction is subject to sales tax, or to use tax – both have the same 1% value, but each applies in separate circumstances. The California Department of Tax and Fee Administration (CDTFA) is responsible for administering this system and issuing rules regarding how it is applied in our state.

The following chart created by HdL Companies, the leading provider of California sales tax consulting, illustrates the complex structure of how sales and use tax allocation is done in California, depending on where the transaction starts, where the goods are located, and how the customer receives the goods:



¹ In this scenario the retailer does not own a stock of goods in California and sales orders are negotiated/processed out of state. An out of state company is not required to hold a seller's permit for an in-state third party warehouse if they do not own a stock of goods at the time of sale.

With the exponential growth of online sales and the corresponding lack of growth, and even decline, of shopping at brick and mortar locations, cities are seeing much of their sales tax

growth coming from the countywide sales tax pools, since much of the sales tax is now funneled to the pools.

Recently, one of the world's largest online retailers changed the legal ownership of its fulfillment centers. Instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated. Following the chart above, previously much of the sales tax would have followed the green boxes on the chart and been allocated to the countywide pool based on point of delivery. Now, much of the tax is following the blue path through the chart and is allocated to the jurisdiction in which the fulfillment center is located. (It should be noted that some of the tax is still flowing to the pools, in those situations where the fulfillment center is shipping goods for another seller that is out of state.)

This change has created a situation where most cities in California – more than 90%, in fact – are experiencing a sales tax revenue loss that began in the fourth quarter of calendar year 2021. Many cities may not be aware of this impact, as the fluctuations in sales tax following the pandemic shutdowns have masked the issue. But this change will have long-term impacts on revenues for all California cities as all these revenues benefiting all cities have shifted to just a handful of cities and counties that are home to this retailer's fulfillment centers.

This has brought to light again the need to address the issues in how sales and use taxes are distributed in the 21st century. Many, if not most cities will never have the opportunity have a warehouse fulfillment center due to lack of space or not being situated along a major travel corridor. These policies especially favor retailers who may leverage current policy in order to negotiate favorable sales tax sharing agreements, providing more money back to the retailer at the expense of funding critical public services.

With that stated, it is important to note the many impacts to the jurisdictions home to the fulfillment centers. These centers do support the ecommerce most of us as individuals have come to rely on, including heavy wear and tear on streets – one truck is equal to about 8,000 cars when it comes to impact on pavement – and increased air pollution due to the truck traffic and idling diesel engines dropping off large loads. However, it is equally important that State policies acknowledge that entities without fulfillment centers also experience impacts from ecommerce and increased deliveries. Cities whose residents are ordering products that are delivered to their doorstep also experience impacts from traffic, air quality and compromised safety, as well as the negative impact on brick-and-mortar businesses struggling to compete with the sharp increase in online shopping. These cities are rightfully entitled to compensation in an equitable share of sales and use tax. We do not believe that online sales tax distribution between fulfillment center cities and other cities should be an all or nothing endeavor, and not necessarily a fifty-fifty split, either. But we need to find an equitable split that balances the impacts to each jurisdiction involved in the distribution of products purchased online.

Over the years, Cal Cities has had numerous discussions about the issues surrounding sales tax in the modern era, and how state law and policy should be revisited to address these issues. It is a heavy lift, as all of our cities are impacted a bit differently, making consensus difficult. We believe that by once again starting the conversation and moving toward the development of laws and policies that can result in seeing all cities benefit from the growth taxes generated through online sales, our state will be stronger.

It is for these reasons, that we should all aspire to develop an equitable sales tax distribution for online sales.

League of California Cities Staff Analysis on Resolution No. 1

Staff: Nicholas Romo, Legislative Affairs, Lobbyist

Committee: Revenue and Taxation

Summary:

This Resolution calls on the League of California Cities (Cal Cities) to request the Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.

Background:

The City of Rancho Cucamonga is sponsoring this resolution to “*address the issues in how sales and use taxes are distributed in the 21st century.*”

The City notes that “*sales tax is a major revenue source for most California cities. Commonly known as the local 1% Bradley-Burns tax, since the 1950’s, cities have traditionally received 1 cent on every dollar of a sale made at the store, restaurant, car dealer, or other location within a jurisdiction’s boundaries. Over the years, however, this simple tax structure has evolved into a much more complex set of laws and allocation rules. Many of these rules relate to whether or not a given transaction is subject to sales tax, or to use tax – both have the same 1% value, but each applies in separate circumstances.*

Recently, one of the world’s largest online retailers changed the legal ownership of its fulfillment centers. Instead of having its fulfillment centers owned and operated by a third-party vendor, they are now directly owned by the company. This subtle change has major impacts to how the 1% local tax is allocated.

This change has created a situation where most cities in California – more than 90%, in fact – are experiencing a sales tax revenue loss that began in the fourth quarter of calendar year 2021. Many cities may not be aware of this impact, as the fluctuations in sales tax following the pandemic shutdowns have masked the issue. But this change will have long-term impacts on revenues for all California cities as all these revenues benefiting all cities have shifted to just a handful of cities and counties that are home to this retailer’s fulfillment centers.”

The City’s resolution calls for action on an unspecified solution that “*rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction,*” which aims to acknowledge the actions taken by cities to alleviate poverty, catalyze economic development, and improve financial stability within their communities through existing tax sharing and zoning powers.

Ultimately, sponsoring cities believe *“that by once again starting the conversation and moving toward the development of laws and policies that can result in seeing all cities benefit from the growth taxes generated through online sales, our state will be stronger.”*

Sales and Use Tax in California

The Bradley-Burns Uniform Sales Tax Act allows all local agencies to apply its own sales and use tax on the same base of tangible personal property (taxable goods). This tax rate currently is fixed at 1.25% of the sales price of taxable goods sold at retail locations in a local jurisdiction, or purchased outside the jurisdiction for use within the jurisdiction. Cities and counties use this 1% of the tax to support general operations, while the remaining 0.25% is used for county transportation purposes.

In California, all cities and counties impose Bradley-Burns sales taxes. California imposes the sales tax on every retailer engaged in business in this state that sells taxable goods. The law requires businesses to collect the appropriate tax from the purchaser and remit the amount to the California Department of Tax and Fee Administration (CDTFA). Sales tax applies whenever a retail sale is made, which is basically any sale other than one for resale in the regular course of business. Unless the person pays the sales tax to the retailer, they are liable for the use tax, which is imposed on any person consuming taxable goods in the state. The use tax rate is the same rate as the sales tax rate.

Generally, CDTFA distributes Bradley-Burns tax revenue based on where a sale took place, known as a *situs-based system*. A retailer’s physical place of business—such as a retail store or restaurant—is generally the place of sale. “Sourcing” is the term used by tax practitioners to describe the rules used to determine the place of sale, and therefore, which tax rates are applied to a given purchase and which jurisdictions are entitled to the local and district taxes generated from a particular transaction.

California is primarily an origin-based sourcing state – meaning tax revenues go to the jurisdiction in which a transaction physically occurs if that can be determined. However, California also uses a form of destination sourcing for the local use tax and for district taxes (also known as “transactions and use taxes” or “add-on sale and use taxes”). That is, for cities with local add-on taxes, they receive their add-on rate amount from remote and online transactions.

Generally, allocations are based on the following rules:

- The sale is sourced to the place of business of the seller - whether the product is received by the purchaser at the seller’s business location or not.
- If the retailer maintains inventory in California and has no other in state location, the source is the jurisdiction where the warehouse is situated. *This resolution is concerned with the growing amount of online retail activity being sourced to cities with warehouse/fulfillment center locations.*
- If the business’ sales office is located in California but the merchandise is shipped from out of state, the tax from transactions under \$500,000 is allocated

via the county pools. The tax from transactions over \$500,000 is allocated to the jurisdiction where the merchandise is delivered.

- When a sale cannot be identified with a permanent place of business in the state, the sale is sourced to the allocation pool of the county where the merchandise was delivered and then distributed among all jurisdictions in that county in proportion to ratio of sales. *For many large online retailers, this has been the traditional path.*

Online Sales and Countywide Pools

While the growth of e-commerce has been occurring for more than two decades, led by some of the largest and most popular retailers in the world, the dramatic increase in online shopping during the COVID-19 pandemic has provided significant revenue to California cities as well as a clearer picture on which governments enjoy even greater benefits.

In the backdrop of booming internet sales has been the steady decline of brick-and-mortar retail and shopping malls. For cities with heavy reliance on in-person retail shopping, the value of the current allocation system has been diminished as their residents prefer to shop online or are incentivized to do so by retailers (during the COVID-19 pandemic, consumers have had no other option but to shop online for certain goods). All the while, the demands and costs of city services continue to grow for cities across the state.

As noted above, the allocation of sales tax revenue to local governments depends on the location of the transaction (or where the location is ultimately determined). For in-person retail, the sales tax goes to the city in which the product and store are located - a customer purchasing at a register. For online sales, the Bradley Burns sales tax generally goes to a location other than the one where the customer lives – either to the city or county where an in-state warehouse or fulfillment center is located, the location of in-state sales office (ex. headquarters) or shared as use tax proceeds amongst all local governments within a county based on their proportionate share of taxable sales.

Under current CDTFA regulations, a substantial portion of local use tax collections are allocated through a countywide pool to the local jurisdictions in the county where the property is put to its first functional use. The state and county pools constitute over 15% of local sales and use tax revenues. Under the pool system, the tax is reported by the taxpayer to the countywide pool of use and then distributed to each jurisdiction in that county on a pro-rata share of taxable sales. If the county of use cannot be identified, the revenues are distributed to the state pool for pro-rata distribution on a statewide basis.

Concentration of Online Sales Tax Revenue and Modernization

Sales tax modernization has been a policy goal of federal, state, and local government leaders for decades to meet the rapidly changing landscape of commercial activity and ensure that all communities can sustainably provide critical services.

For as long as remote and internet shopping has existed, policy makers have been concerned about their potential to disrupt sales and use tax allocation procedures that underpin the funding of local government services. The system was designed in the early twentieth century to ensure that customers were paying sales taxes to support local government services within the community where the transactions occurred whether they resided there or not. This structure provides benefit to and recoupment for the public resources necessary to ensure the health and safety of the community broadly.

City leaders have for as long been concerned about the loosening of the nexus between what their residents purchase and the revenues they receive. Growing online shopping, under existing sourcing rules, has led to a growing concentration of sales tax revenue being distributed to a smaller number of cities and counties. As more medium and large online retailers take title to fulfillment centers or determine specific sales locations in California as a result of tax sharing agreements in specific cities, online sales tax revenue will be ever more concentrated in a few cities at the control of these companies. Furthermore, local governments are already experiencing the declining power of the sales tax to support services as more money is being spent on non-taxable goods and services.

For more on sales and use tax sourcing please see Attachment A.

State Auditor Recommendations

In 2017, the California State Auditor issued a report titled, "[The Bradley-Burns Tax and Local Transportation Funds](#)", noting that:

"Retailers generally allocate Bradley Burns tax revenue based on the place of sale, which they identify according to their business structure. However, retailers that make sales over the Internet may allocate sales to various locations, including their warehouses, distribution center, or sales offices. This approach tends to concentrate Bradley Burns tax revenue into the warehouses' or sales offices' respective jurisdictions. Consequently, counties with a relatively large amount of industrial space may receive disproportionately larger amounts of Bradley Burns tax, and therefore Local Transportation Fund, revenue.

The State could make its distribution of Bradley Burns tax revenue derived from online sales more equitable if it based allocations of the tax on the destinations to which goods are shipped rather than on place of sale."

The Auditor's report makes the following recommendation:

"To ensure that Bradley-Burns tax revenue is more evenly distributed, the Legislature should amend the Bradley-Burns tax law to allocate revenues from Internet sales based on the destination of sold goods rather than their place of sale."

In acknowledgement of the growing attention from outside groups on this issue, Cal Cities has been engaged in its own study and convening of city officials to ensure pursued solutions account for the circumstances of all cities and local control is best protected. These efforts are explored in subsequent sections.

Cal Cities Revenue and Taxation Committee and City Manager Working Group

In 2015 and 2016, Cal Cities' Revenue and Taxation Policy Committee held extensive discussions on potential modernization of tax policy affecting cities, with a special emphasis on the sales tax. The issues had been identified by Cal Cities leadership as a strategic priority given concerns in the membership about the eroding sales tax base and the desire for Cal Cities to take a leadership role in addressing the associated issues. The policy committee ultimately adopted a series of policies that were approved by the Cal Cities board of directors. Among its changes were a recommended change to existing sales tax sourcing (determining where a sale occurs) rules, so that the point of sale (situs) is where the customer receives the product. The policy also clarifies that specific proposals in this area should be carefully reviewed so that the impacts of any changes are fully understood. See "Existing Cal Cities Policy" section below.

Cal Cities City Manager Sales Tax Working Group Recommendations

In the Fall of 2017, the Cal Cities City Managers Department convened a working group (Group) of city managers representing a diverse array of cities to review and consider options for addressing issues affecting the local sales tax.

The working group of city managers helped Cal Cities identify internal common ground on rapidly evolving e-commerce trends and their effects on the allocation of local sales and use tax revenue. After meeting extensively throughout 2018, the Group made several recommendations that were endorsed unanimously by Cal Cities' Revenue and Taxation Committee at its January, 2019 meeting and by the board of directors at its subsequent meeting.

The Group recommended the following actions in response to the evolving issues associated with e-commerce and sales and use tax:

Further Limiting Rebate Agreements: The consensus of the Group was that:

- Sales tax rebate agreements involving online retailers should be prohibited *going forward*. They are inappropriate because they have the effect of encouraging revenue to be shifted away from numerous communities and concentrated to the benefit of one.
- Any type of agreement that seeks to lure a retailer from one community to another within a market area should also be prohibited *going forward*. Existing law already prohibits such agreements for auto dealers and big box stores.

Shift Use Tax from Online Sales, including from the South Dakota v. Wayfair Decision Out of County Pools: The Group's recommendation is based first on the principle of "situs" and that revenue should be allocated to the jurisdiction where the use occurs. Each city and county in California imposed a Bradley Burns sales and use tax rate

under state law in the 1950s. The use tax on a transaction is the rate imposed where the purchaser resides (the destination). These use tax dollars, including new revenue from the South Dakota v. Wayfair decision, should be allocated to the destination jurisdiction whose Bradley Burns tax applies and not throughout the entire county.

- Shift of these revenues, from purchases from out of state retailers including transactions captured by the South Dakota v. Wayfair decision, out of county pools to full destination allocation on and after January 1, 2020.
- Allow more direct reporting of use taxes related to construction projects to jurisdiction where the construction activity is located by reducing existing regulatory threshold from \$5 million to \$100,000.

Request/Require CDTFA Analysis on Impacts of Sales Tax Destination Shifts: After discussion of numerous phase-in options for destination sourcing and allocation for sales taxes, the Group ultimately decided that a more complete analysis was needed to sufficiently determine impacts. Since the two companies most cities rely on for sales tax analysis, HdL and MuniServices, were constrained to modeling with transaction and use tax (district tax) data, concerns centered on the problem of making decisions without adequate information. Since the CDTFA administers the allocation of local sales and use taxes, it is in the best position to produce an analysis that examines:

- The impacts on individual agencies of a change in sourcing rules. This would likely be accomplished by developing a model to examine 100% destination sourcing with a report to the Legislature in early 2020.
- The model should also attempt to distinguish between business-to-consumer transactions versus business-to-business transactions.
- The model should analyze the current number and financial effects of city and county sales tax rebate agreements with online retailers and how destination sourcing might affect revenues under these agreements.

Conditions for considering a Constitutional Amendment that moves toward destination allocation: Absent better data on the impacts on individual agencies associated with a shift to destination allocation of sales taxes from CDTFA, the Group declined to prescribe if/how a transition to destination would be accomplished; the sentiment was that the issue was better revisited once better data was available. In anticipation that the data would reveal significant negative impacts on some agencies, the Group desired that any such shift should be accompanied by legislation broadening of the base of sales taxes, including as supported by existing Cal Cities policy including:

- Broadening the tax base on goods, which includes reviewing existing exemptions on certain goods and expanding to digital forms of goods that are otherwise taxed; and
- Expanding the sales tax base to services, such as those commonly taxed in other states.

This Resolution builds upon previous work that accounts for the impacts that distribution networks have on host cities and further calls on the organization to advocate for changes to sales tax distribution rules.

The Resolution places further demands on data collected by CDTFA to establish a “fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases.” Such data is proposed to be collected by [SB 792 \(Glazer, 2021\)](#). More discussion on this topic can be found in the “Staff Comments” section.

Staff Comments:

Proposed Resolution Affixes Equity Based, Data Driven Approach to Existing Cal Cities Policy on Sales Tax Sourcing

The actions resulting from this resolution, if approved, would align with existing policy and efforts to-date to modernize sales tax rules. While not formalized in existing Cal Cities policy or recommendations, city managers and tax practitioners generally have favored proposals that establish a sharing of online sales tax revenues rather than a full destination shift. City leaders and practitioners across the state have acknowledged during Cal Cities Revenue and Taxation and City Manager’s working group meetings that the hosting of fulfillment centers and ancillary infrastructure pose major burdens on local communities including detrimental health and safety impacts. This acknowledgement has moved mainstream proposals such as this one away from full revenue shifts towards an equity-based, data driven approach that favors revenue sharing. This Resolution would concretely affix this approach as Cal Cities policy.

More Data is Needed to Achieve Equity Based Approach

A major challenge is the lack of adequate data to model the results of shifting in-state online sale tax revenues. Local government tax consultants and state departments have limited data to model the effects of changes to sales tax distribution because their information is derived only from cities that have a local transactions and use tax (TUT). Tax experts are able to model proposed tax shifts using TUTs since they are allocated on a destination basis (where a purchaser receives the product; usually a home or business). However, more than half of all cities, including some larger cities, do not have a local TUT therefore modeling is constrained and incomplete.

Efforts to collect relevant sales tax information on the destination of products purchased online are ongoing. The most recent effort is encapsulated in [SB 792 \(Glazer, 2021\)](#), which would require retailers with online sales exceeding \$50 million a year to report to CDTFA the gross receipts from online sales that resulted in a product being shipped or delivered in each city. The availability of this data would allow for a much more complete understanding of online consumer behavior and the impacts of future proposed changes to distribution. SB 792 (Glazer) is supported by Cal Cities following approval by the Revenue and Taxation Committee and board of directors.

Impact of Goods Movement Must Be Considered

As noted above, city leaders and practitioners across the state acknowledge that the hosting of fulfillment centers and goods movement infrastructure pose major burdens on local communities including detrimental health, safety, and infrastructure impacts. Not least of which is the issue of air pollution from diesel exhaust. According to California Environmental Protection Agency (Cal EPA):

“Children and those with existing respiratory disease, particularly asthma, appear to be especially susceptible to the harmful effects of exposure to airborne PM from diesel exhaust, resulting in increased asthma symptoms and attacks along with decreases in lung function (McCreanor et al., 2007; Wargo, 2002). People that live or work near heavily-traveled roadways, ports, railyards, bus yards, or trucking distribution centers may experience a high level of exposure (US EPA, 2002; Krivoshto et al., 2008). People that spend a significant amount of time near heavily-traveled roadways may also experience a high level of exposure. Studies of both men and women demonstrate cardiovascular effects of diesel PM exposure, including coronary vasoconstriction and premature death from cardiovascular disease (Krivoshto et al., 2008). A recent study of diesel exhaust inhalation by healthy non-smoking adults found an increase in blood pressure and other potential triggers of heart attack and stroke (Krishnan et al., 2013) Exposure to diesel PM, especially following periods of severe air pollution, can lead to increased hospital visits and admissions due to worsening asthma and emphysema-related symptoms (Krivoshto et al., 2008). Diesel exposure may also lead to reduced lung function in children living in close proximity to roadways (Brunekreef et al., 1997).”

The founded health impacts of the ubiquitous presence of medium and heavy-duty diesel trucks used to transport goods to and from fulfillment centers and warehouses require host cities to meet increased needs of their residents including the building and maintenance of buffer zones, parks, and open space. While pollution impacts may decline with the introduction of zero-emission vehicles, wide scale adoption by large distribution fleets is still in its infancy. Furthermore, the impacts of heavy road use necessitate increased spending on local streets and roads upgrades and maintenance. In addition, many cities have utilized the siting of warehouses, fulfillment centers, and other heavy industrial uses for goods movements as key components of local revenue generation and economic development strategies. These communities have also foregone other land uses in favor of siting sales offices and fulfillment networks.

All said, however, it is important to acknowledge that disadvantaged communities (DACs) whether measured along poverty, health, environmental or education indices exist in cities across the state. For one example, see: [California Office of Environmental Health Hazard Assessment \(OEHHA\) CalEnviroScreen](#). City officials may consider how cities without fulfillment and warehouse center revenues are to fund efforts to combat social and economic issues, particularly in areas with low property tax and tourism-based revenues.

The Resolution aims to acknowledge these impacts broadly (this analysis does not provide an exhaustive review of related impacts) and requests Cal Cities to account for them in a revised distribution formula of the Bradley Burns 1% local sales tax from in-state online purchases. The Resolution does not prescribe the proportions.

Clarifying Amendments

Upon review of the Resolution, Cal Cities staff recommends technical amendments to provide greater clarity. *To review the proposed changes, please see Attachment B.*

Fiscal Impact:

Significant but unknown. The Resolution on its own does not shift sales tax revenues. In anticipation and mitigation of impacts, the Resolution requests Cal Cities to utilize online sales tax data to identify a fair and equitable distribution formula that accounts for the broad impacts fulfillment centers involved in online retail have on the cities that host them. The Resolution does not prescribe the revenue distribution split nor does it prescribe the impacts, positive and negative, of distribution networks.

Existing Cal Cities Policy:

- Tax proceeds collected from internet sales should be allocated to the location where the product is received by the purchaser.
- Support as Cal Cities policy that point of sale (situs) is where the customer receives the product. Specific proposals in this area should be carefully reviewed so that the impacts of any changes are fully understood.
- Revenue from new regional or state taxes or from increased sales tax rates should be distributed in a way that reduces competition for situs-based revenue. (Revenue from the existing sales tax rate and base, including future growth from increased sales or the opening of new retail centers, should continue to be returned to the point of sale.)
- The existing situs-based sales tax under the Bradley Burns 1% baseline should be preserved and protected.
- Restrictions should be implemented and enforced to prohibit the enactment of agreements designed to circumvent the principle of situs-based sales and redirect or divert sales tax revenues from other communities, when the physical location of the affected businesses does not change. Sales tax rebate agreements involving online retailers are inappropriate because they have the effect of encouraging revenue to be shifted away from numerous communities and concentrated to the benefit of one. Any type of agreement that seeks to lure a retailer from one community to another within a market area should also be prohibited going forward.
- Support Cal Cities working with the state California Department of Tax and Fee Administration (CDTFA) to update the county pool allocation process to ensure that more revenues are allocated to the jurisdiction where the purchase or first use of a product occurs (usually where the product is delivered). Use Tax collections from online sales, including from the South Dakota v Wayfair Decision, should be shifted out of county pools and allocated to the destination jurisdiction whose Bradley Burns tax applies and not throughout the entire county.

Support:

The following letters of concurrence were received:

Town of Apple Valley

City of El Cerrito

City of La Canada Flintridge

City of La Verne

City of Lakewood

City of Moorpark
City of Placentia
City of Sacramento

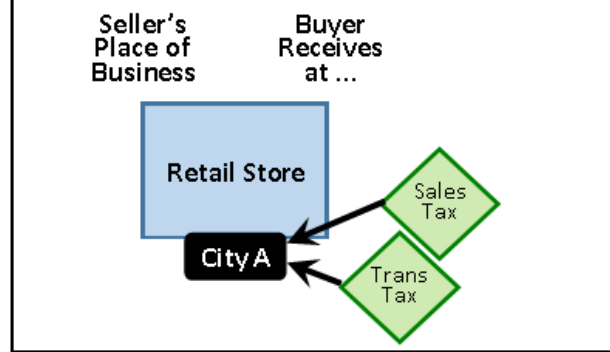
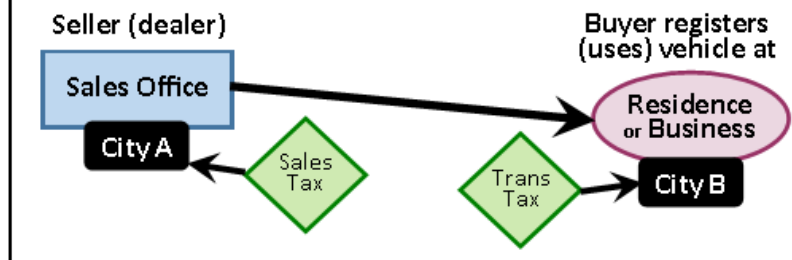
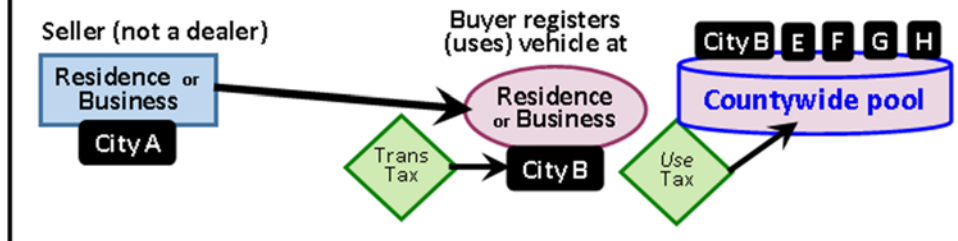
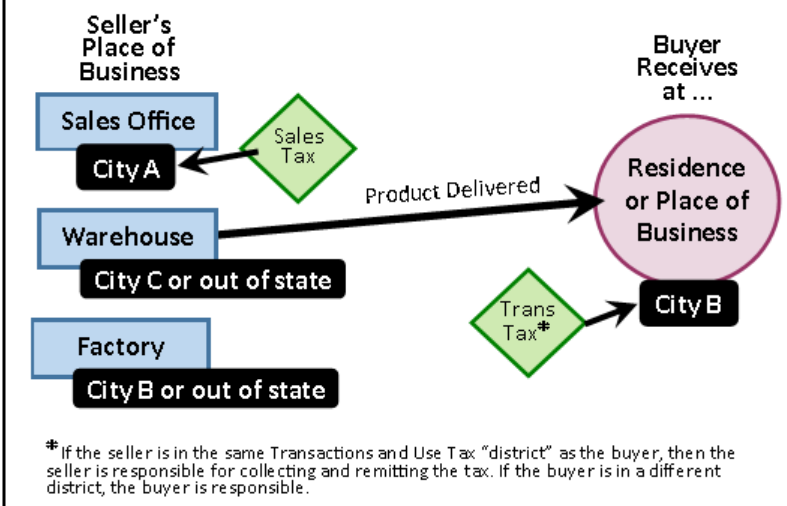
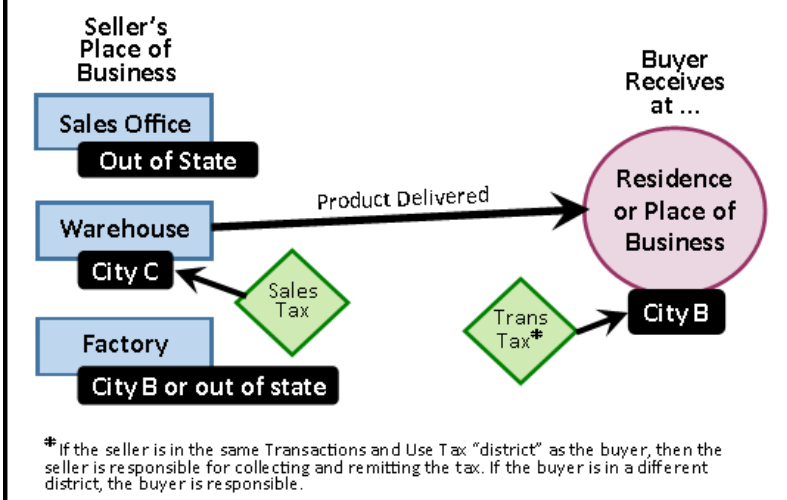
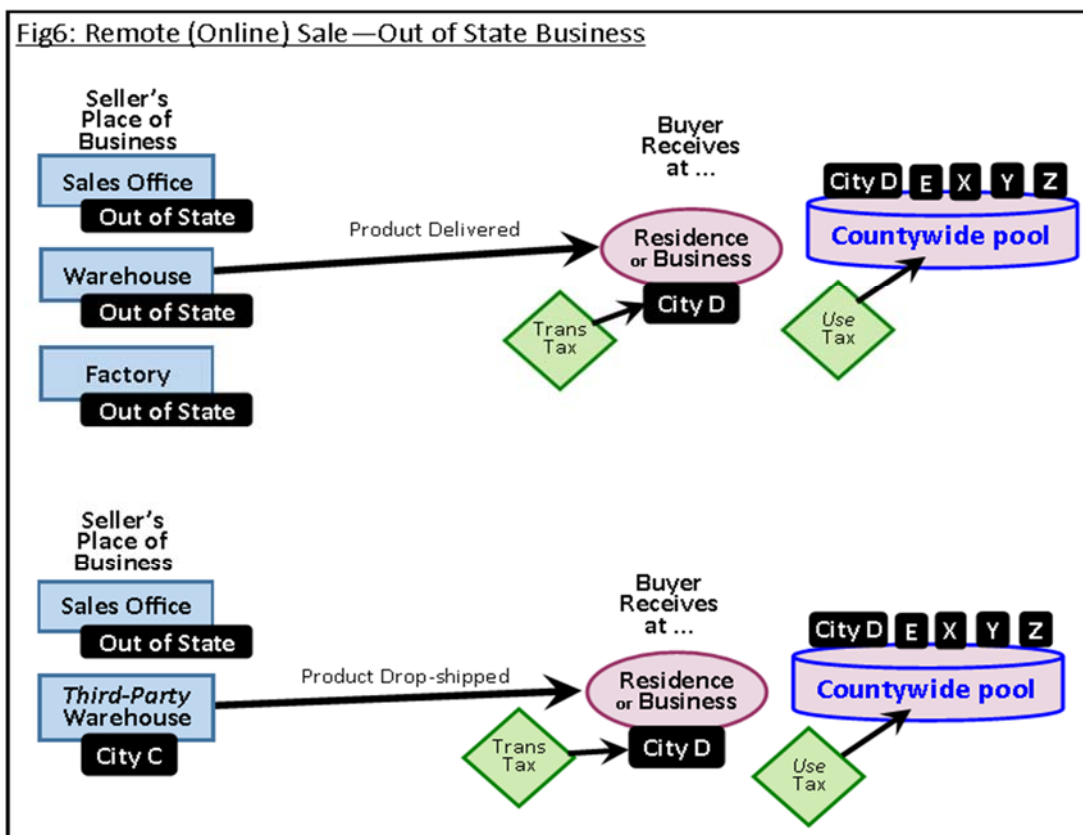
Fig1: Typical "Over the Counter" Transaction**Fig2: Dealership Automobile Sale****Fig3: Private Party Automobile Sale**

Fig4: Remote (Online) Sale — In-State Business Office**Fig5: Remote (Online) Sale — In-State Warehouse, Out-of-State Sales Office**



GUIDELINES FOR ALLOCATION OF			LOCAL TAX - ONLINE AND IN-STORE
Place of Sale	Location of Goods at the Time of Sale	How Customer Receives Goods	Allocation of Tax
Online – Order is placed or downloaded outside California	California Fulfillment Center	Shipped to California Customer	Local tax is allocated to the jurisdiction in which the fulfillment center is located
Online – Order is placed or downloaded in California	California Fulfillment Center	Shipped to California Customer	Per CDTFA Regulation 1802, local tax is allocated to the jurisdiction where the order is placed
Online	Out of State Fulfillment Center	Shipped to California Customer	Local tax is allocated to the countywide pool based on point of delivery
Online	Out of State Fulfillment Center	Picked Up In-Store (Click & Collect)	Local tax is allocated to the countywide pool based on point of delivery
Online	California Fulfillment Center Owned and Operated by Third Party Vendor	Drop-Shipped to California Customer	Local tax is allocated to the countywide pool based on point of delivery
Online	In-Store (Goods withdrawn from store inventory)	Shipped to California Customer	Local Tax is allocated to the jurisdiction where the store is located
Online	In-Store (Goods withdrawn from store inventory)	Picked Up In-Store (Click & Collect)	Local Tax is allocated to the jurisdiction where the store is located
In-Store	In-Store (Goods withdrawn from store inventory)	Over the Counter	Local Tax is allocated to the jurisdiction where the store is located

Courtesy of HdL Companies

CaliforniaCityFinance.com

Tax Incentive Programs, Sales Tax Sharing Agreements

In recent years, especially since Proposition 13 in 1978, local discretionary (general purpose revenues) have become more scarce. At the same time, options and procedures for increasing revenues have become more limited. One outcome of this in many areas has been a greater competition for sales and use tax revenues. This has brought a rise in arrangements to encourage certain land use development with rebates and incentives which exploit California's odd origin sales tax sourcing rules.

The typical arrangement is a sales tax sharing agreement in which a city provides tax rebates to a company that agrees to expand their operations in the jurisdiction of the city. Under such an arrangement, the company generally agrees to make a specified amount of capital investment and create a specific number of jobs over a period of years in exchange for specified tax breaks, often property tax abatement or some sort of tax credit. In some cases, this has simply taken the form of a sales office, while customers and warehouses and the related economic activity are disbursed elsewhere in the state. In some cases the development takes the form of warehouses, in which the sales inventory, owned by the company, is housed.⁶

Current sales tax incentive agreements in California rebate amounts ranging from 50% to 85% of sales tax revenues back to the corporations.

Today, experts familiar with the industry believe that between 20% to 30% of local Bradley-Burns sales taxes paid by California consumers is diverted from local general funds back to corporations; over \$1 billion per year.

The Source of Origin Based Sourcing Problems

Where other than over-the-counter sales are concerned origin sourcing often causes a concentration of large amounts of tax revenue in one location, despite the fact that the economic activity and service impacts are also occurring in other locations.

The large amounts of revenue concentrated in a few locations by California's "warehouse rule" origin sourcing causes a concentration of revenue far in excess of the service costs associated with the development.

In order to lure jobs and tax revenues to their communities, some cities have entered into rebate agreements with corporations. This has grown to such a problem, that 20% to 30% of total local taxes paid statewide are being rebated back to corporations rather than funding public services.

Moving to Destination Sourcing: The Concept⁷

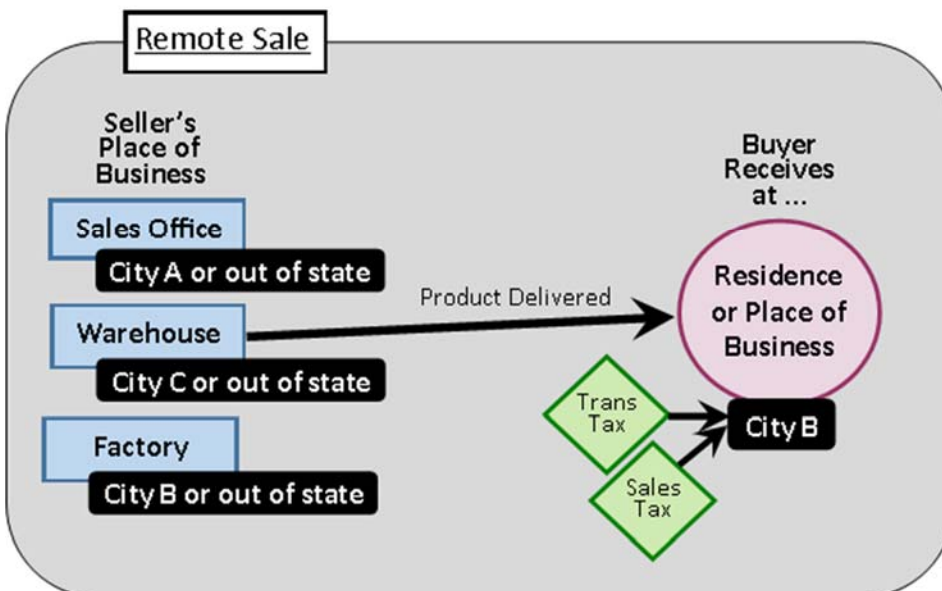
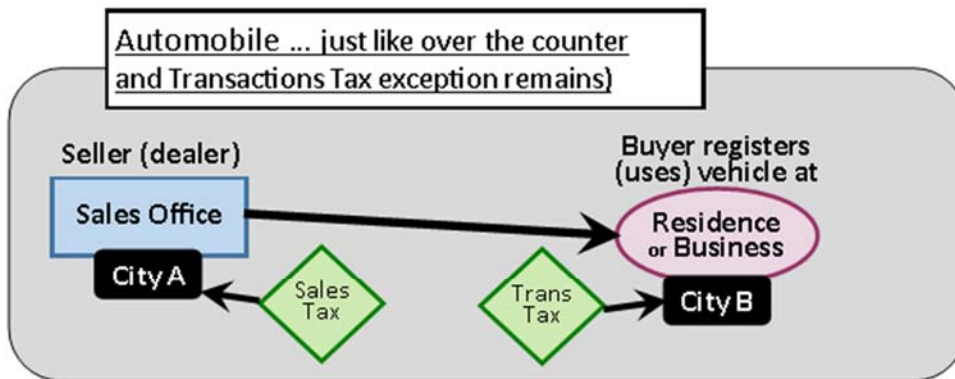
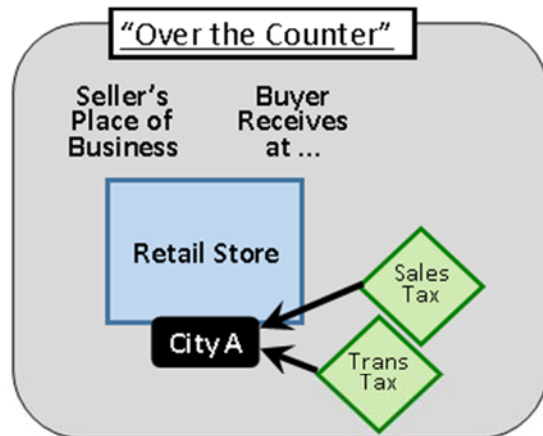
A change from origin sourcing rules to destination sourcing rules for the local tax component of California's sales tax would improve overall revenue collections and distribute these revenues more equitably among all of the areas involved in these transactions.

A change from origin based sourcing to destination based sourcing would have no effect on state tax collections. However, it would alter the allocations of local sales and use tax revenues among local agencies. Most retail transactions including dining, motor fuel purchases, and in-store purchases would not be affected. But in cases where the property is received by the purchaser in a different jurisdiction than where the sales agreement was negotiated, there would be a different allocation than under the current rules.

⁶ See Jennifer Carr, "Origin Sourcing and Tax Incentive Programs: An Unholy Alliance" Sales Tax Notes; May 27, 2013.

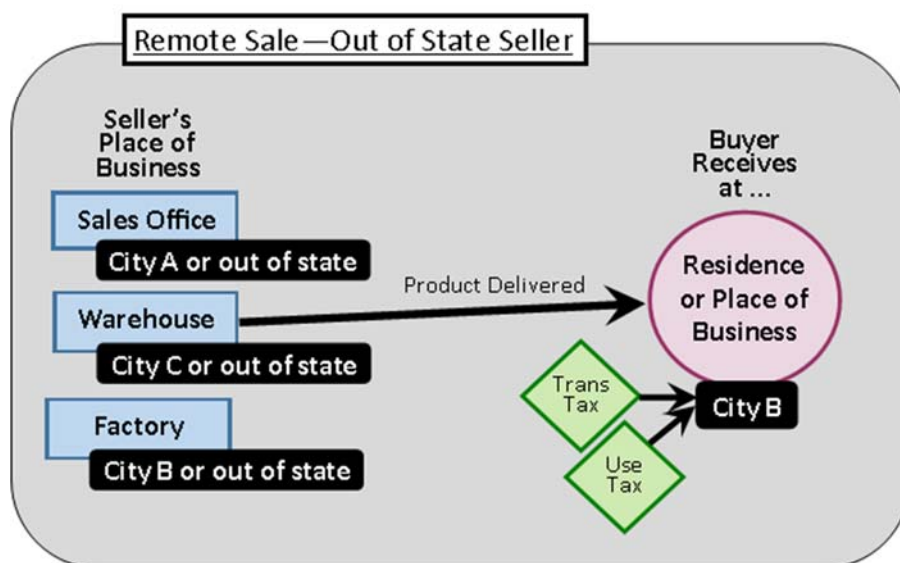
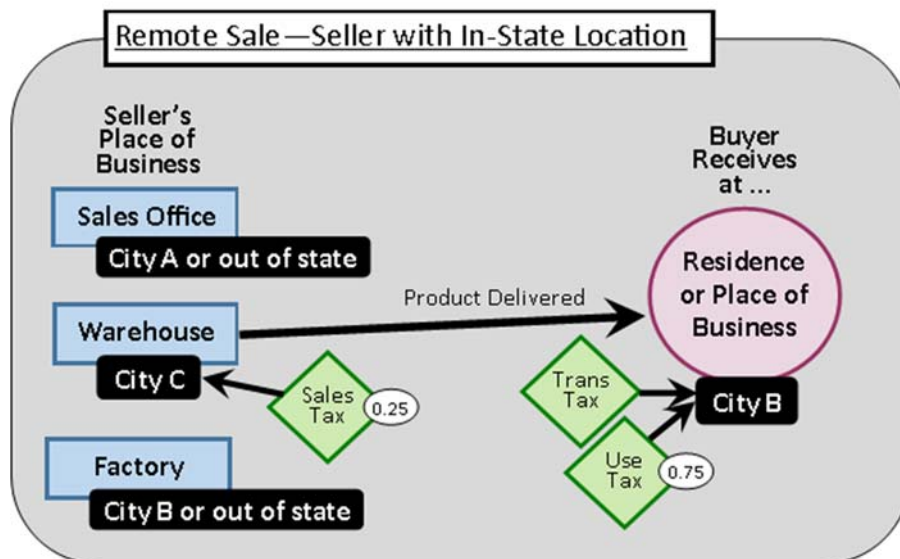
⁷ The same issues that are of concern regarding the local sales tax do not apply to California's Transactions and Use Taxes ("Add-on sales taxes") as these transactions, when not over the counter, are generally allocated to the location of use or, as in the case of vehicles, product registration. There is no need to alter the sourcing rules for transactions and use taxes.

Destination Sourcing Scenario 1: Full-On



Destination Sourcing Scenario 2: Split Source

- Same as now for “over the counter” and automobile.
- Leave 0.25% on current seller if instate (origin)
- Could be phased in.



mjgc

RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES ("CAL CITIES")
 CALLING ON THE STATE LEGISLATURE TO PASS LEGISLATION THAT PROVIDES
 FOR A FAIR AND EQUITABLE DISTRIBUTION OF THE BRADLEY BURNS 1% LOCAL
 SALES TAX FROM IN-STATE ONLINE PURCHASES, BASED ON DATA WHERE
 PRODUCTS ARE SHIPPED TO, AND THAT RIGHTFULLY TAKES INTO
 CONSIDERATION THE IMPACTS THAT FULFILLMENT CENTERS HAVE ON HOST
 CITIES BUT ALSO PROVIDES A FAIR SHARE TO CALIFORNIA CITIES THAT DO NOT
 AND/OR CANNOT HAVE A FULFILLMENT CENTER WITHIN THEIR JURISDICTION

WHEREAS, the 2018 U.S. Supreme Court decision in *Wayfair v. South Dakota* clarified that states could charge and collect tax on purchases even if the seller does not have a physical presence in the state; and

WHEREAS, California cities and counties collect 1% in Bradley Burns sales and use tax from the purchase of tangible personal property and rely on this revenue to provide critical public services such as police and fire protection; and

WHEREAS, in terms of "siting" the place of sale and determining which jurisdiction receives the 1% Bradley Burns local taxes for online sales, the California Department of Tax and Fee Administration (CDTFA) determines "out-of-state" online retailers as those with no presence in California that ship property from outside the state and are therefore subject to use tax, not sales tax, which is collected in a countywide pool of the jurisdiction where the property is shipped from; and

WHEREAS, for online retailers that have a presence in California and have a stock of goods in the state from which it fulfills orders, CDTFA considers the place of sale ("situs") as the location from which the goods were shipped such as a fulfillment center; and

WHEREAS, in early 2021, one of the state's largest online retailers shifted its ownership structure so that it is now considered both an in-state and out-of-state retailer, resulting in the sales tax this retailer generates from in-state sales now being ~~entirely~~ allocated to ~~the specific city~~ cities where ~~the~~ warehouse fulfillment centers ~~is-are~~ located as opposed to going into ~~a~~ countywide pools that ~~is are~~ shared with all jurisdictions in ~~those counties~~ that County, as was done previously; and

WHEREAS, this all-or-nothing ~~change for the~~ allocation of in-state sales tax has created winners and losers amongst cities as the online sales tax revenue ~~from the retailer~~ that was once spread amongst all cities in countywide pools is now concentrated in select cities that host ~~a~~ fulfillment centers; and

WHEREAS, this has created a tremendous inequity amongst cities, in particular for cities that are built out, do not have space for siting ~~a 1 million square foot~~ fulfillment centers, are not located along a major travel corridor, or otherwise not ideally suited to host a fulfillment center; and

WHEREAS, this inequity affects cities statewide, but in particular those with specific circumstances such as no/low property tax cities that are extremely reliant on sales tax revenue as well as cities struggling to meet their Regional Housing Needs Allocation (RHNA) obligations that are being compelled by the State to rezone precious commercial parcels to residential; and

WHEREAS, the inequity produced by allocating in-state online sales tax revenue exclusively to cities with fulfillment centers is exasperated even more by, in addition to already reducing the amount of revenue going into the countywide pools, the cities with fulfillment centers are also receiving a larger share of the dwindling countywide pool as it is allocated based on cities' proportional share of sales tax collected; and

WHEREAS, while it is important to acknowledge that those cities that have fulfillment centers experience impacts from these activities and deserve equitable supplementary compensation, it should also be recognized that the neighboring cities whose residents are ordering products from those that centers s now receive no Bradley Burns revenue ~~from the center's sales activity~~ despite also experiencing the impacts created by the m center, such as increased traffic and air pollution; and

WHEREAS, the COVID-19 pandemic greatly accelerated the public's shift towards online purchases, a trend that is unlikely to be reversed to pre-pandemic levels; and

NOW, THEREFORE, BE IT RESOLVED that Cal Cities calls on the State Legislature to pass legislation that provides for a fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where products are shipped to, and that rightfully takes into consideration the impacts that fulfillment centers have on host cities but also provides a fair share to California cities that do not and/or cannot have a fulfillment center within their jurisdiction.